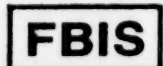


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9 April 1985

# East Europe Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS



FOREIGN BROADCAST INFORMATION SERVICE

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9 April 1985

# EAST EUROPE REPORT

## POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

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INTERNATIONAL AFFAIRS

HUNGARIAN CULTURE HOUSE TO EXPAND PROGRAMS IN CZECHOSLOVAKIA

Budapest NEPSZABADSAG in Hungarian 8 Mar 85 p 7

[Article by Peter Lovasz: "The Mediators of Hungarian Culture in Prague"]

[Text] The building of the Hungarian Cultural Center stands in the city of Prague, near Wenceslas Square, on Rytirska Street. The institution has been operating in this place since 1978. Earlier the institute and a shop of the Kultura Foreign Trade Enterprise shared a site or, more precisely, up to 1978 representatives of the Kultura Enterprise carried out that mission to which the institute is now assigned. In such a way Hungarian artistic and scientific life have had followers in Prague for 27 years and since the formation of the independent institute this representation has strengthened significantly.

The mission of the MKK [Hungarian Cultural Center] hardly needs a more detailed explanation, its purpose is to acquaint the inhabitants of the neighboring country, tied to ours by a thousand threads, with the events and achievements of Hungarian public life, culture and science of older and newer times. The assets of the institute are relatively modest. Its personnel--including those dealing with the economic affairs of the center and the cleaning ladies--number 15 of whom six deal at this time with the program organization and presentations. But according to Ferenc Marjanek, the acting director, this picture is not entirely valid.

"It is true that there are relatively few of us, but we get great help in carrying out the program from home and from local organs, in two ways. After multilateral harmonization the program of the institute is taking on final form, which means that we have harmonized the plan worked out by us, which can be regarded as the basic version, with the local artistic federations and societies. This applies to the literary, graphic arts, music and film arts programs as well as to the political and social science actions. (Not infrequently our local partners provide the locale and the performer--and do so free of charge.) We also receive valuable aid from people at the Hungarian Ministry of Culture, and with the organs taking care of the affairs of domestic artists expected for the programs, for example with Interkoncert and the Writers' Federation."

The quality of the equipment has a substantial influence on the effectiveness of the activity of the center. The ancient but carefully restored and

maintained three story building contains a theater accommodating 120 people, a reading room accommodating 30 people, a smaller conference room and an exhibit hall on the ground floor. On the first story one can find a library and connecting reading room.

The programs of the MKK are interesting and substantive spots of color in the cultural life of Prague, and this opinion is testified to not primarily by those working at the center but rather it is the value judgment of the public and of the Czechoslovak press. The greatest interest is usually elicited by the film showings on Thursdays, when often it is necessary to shut the gates of the institute 5 or 10 minutes before the beginning of the showing because more viewers will not fit into the theater. The music and literary evenings enjoy an almost similar popularity, and the creations of the graphic arts in the exhibit hall are not ignored either.

The center has put together an especially rich program for the first half of this year, in agreement with the cultural organs and artistic federations of the receiving country.

"In putting together the program for this year we tied it primarily to the 40th anniversary of the liberation. We plan a number of actions in Prague and in the provinces, within the framework of which we will describe the development of our country," Ferenc Marjanek said. "We are holding film presentations, book, record and photo exhibits, and with the help of domestic speakers we will describe the 40 year cultural development of our country. Last year we arranged a scientific conference to commemorate the Hungarian Republic of Councils, and this was so successful that this year we are arranging scientific conferences on two subjects. Let me note that such conferences cannot be called traditional in the work of the center, but according to our experiences thus far they are a great help to better understanding and communication among representatives of the scientific life of both countries and we feel that they will contribute to a further enlivening and deepening of general contacts."

"All this is taking place in Prague. What do you plan in the provinces?"

"There will be Hungarian cultural days in Northern Moravia for the first time in March, then in Southern Bohemia and later in Eastern Slovakia. Within the framework of these we will hold concerts, exhibits and lectures, show Hungarian films which have won prizes over the 40 years, and even arrange a disco evening. In addition, in May, there will be Hungarian days in Olomouc, and we will have various programs in a few other cities too with which we traditionally have good contacts, for example in Brno, Hradec Kralove, Banska Bystrica, Trebic and Kosice."

"This will be a festive program. But in the meantime the 13th Congress of the MSZMP will have taken place, which can count on interest in Czechoslovakia too. Have you planned programs linked to this?"

"We will hold a series of lectures in Prague and in the provinces between 22 and 26 April, primarily concerning economic policy questions, and a month

later we will acquaint those interested with the most important questions of Hungarian cultural policy and the cultural situation, also in a series of lectures. We will devote a lecture to the development of Hungarian film art--hopefully it will be followed by a debate in a customary manner. In June we will undertake yet another theme--with the help of a domestic expert--a description of the council law or the new electoral law or, comprehensively, the development of socialist democracy in our country.

"In addition, from time to time, we will have our usual programs for people in Prague. We are arranging literary meetings jointly with Hungarian translators in Czechoslovakia, giving excerpts from the work of Dezso Kosztolanyi and Ivan Mandy, we are expecting to have the author in Prague. In April we will have Gabor Szekely, director of the Jozsef Katona Theater as a guest and in June we will have Gyorgy Szaraz, editor-in-chief of KORTARS as a guest for a literary evening. There are four concerts for the first half of the year, at one of them Ostrava artists will play and our Thursday film showings will continue. In addition to showings linked to the holiday we have undertaken to show the films of Marta Meszaros. A 2-day series of the newest Hungarian films will be in May, with invited film experts. There will be three graphic arts exhibits in Prague and four in other cities. In addition we regularly publish a monthly bulletin about Hungarian cultural life, and the library is open to everyone," Ferenc Marjanek said in conclusion.

Prague, March 1985.

8984

CSO: 2500/293

BULGARIA

BULGARIAN LEADERS WRITE FOR ANNIVERSARY VOLUME

AU130848 [Editorial Report] Sofia RABOTNICHESKO DELO in Bulgarian on 9 March carries on pages 1 and 3 a 4,000-word unattributed review on a recently published volume entitled "40 years of Socialist Bulgaria," which contains the principal speech delivered by Todor Zhivkov at the celebrations to commemorate the 40th anniversary of the victory of the 9 September 1944 socialist revolution in Bulgaria, as well as his speech delivered in Moscow at the opening of the Bulgarian anniversary exhibition in September, and other statements on the occasion of the anniversary. The volume is also reported to contain a series of articles by Grisha Filipov entitled: "Eternal Values of Socialist Revolution," by Dobri Dzhurov, Yurdan Yotov, Stanko Todorov, Milko Balev, Ognyan Doynov, Todor Bozhinov, Chudomir Aleksandrov, Dimitur Stoyanov, Georgi Atanasov, Petur Dyulgerov, Stoyan Karadzhov, Pencho Kubadinski, Petur Tanchev, Vasil Tsanov, Georgi Yordanov, Grigor Stoichkov, Stoyan Mikhaylov, and Emil Khristov, by Stanish Bonev, Andrey Lukanov, Kiril Zarev, and Dimitur Stanishev, as well as by Petur Mladenov. All these articles are devoted to special subjects pertaining to the fields of work in which the respective leaders are involved.

The volume is also said to contain Mikhail Gorbachev's greetings address on behalf of the CPSU and the Soviet Government on the occasion of the celebrations for the 40th anniversary of socialist revolution. The review devotes the following passage to Gorbachev's speech: "In his speech Mikhail Gorbachev stressed the strength of friendship and socialist internationalism, which accelerates the progress of history. We have always replied and are replying with friendship to your friendship, we are manifesting the same, sincere friendship for you. Soviet-Bulgarian friendship is unshakable."

The review further mentions "numerous speeches and telegrams on the occasion of the anniversary" published in the volume, "expressing high recognition and inspiring optimism for the construction of our country's socialist and communist future," without mentioning the speeches and telegrams in detail.

CSO: 2200/127



BULGARIA

KOTSEV ARTICLE ON SMALL ENTERPRISES

AU121122 [Editorial Report] Sofia RABOTNICHESKO DELO in Bulgarian on 11 March on page 3 carries a 600-word article by Venelin Kotsev, former secretary of the BCP Central Committee, entitled "Great Tasks Face the Small Enterprises."

Noting that the small enterprises are "an especially successful form of quickly renewing production and introducing new machines, technologies, and promising innovations," Kostev characterizes the small enterprises as a "reserve of the party's socioeconomic strategy." Kotsev points out that "the term for creating the small enterprises is extremely short--from 12 to 15 months, the investment risk is minimal, and the labor productivity several times higher." He points out the advantages of creating small enterprises in everything related to "improving the national economy," and "optimally utilizing production capacities," He concludes the article by stressing the contribution of the small enterprises to "developing the scientific-technological revolution and Bulgaria's comprehensive progress."

CSO: 2200/127

9 April 1985

CZECHOSLOVAKIA

## DAILY APPLIES CPSU, GORBACHEV THESES TO CPCZ

AU201230 [Editorial Report] Prague RUBE PRAVO in Czech on 18 March 1985 carries on page 1 a 1,300-word editorial, entitled "Firm Principles and a Creative Approach." Dealing with the preparations for the 27th CPSU Congress in the Soviet Union, the editorial points out: "Our party, too, is undergoing the process of preparing for its next congress. That is why the creative theoretical and practical effort, with which the CPSU so energetically approaches the elaboration of issues of the comprehensive perfection of developed socialism, is of such significance for us, too."

The editorial quotes Gorbachev on the need to consistently implement the planned development of the economy, to consolidate socialist ownership, to expand the rights and enhance the independence and responsibility of enterprises, and to raise their interest in the final results of work. After dealing with the CPSU's emphasis on the intensification of the economy, on adherence to the principles of Marxism-Leninism in building socialism, on a creative and active approach in fulfilling the strategic line of the 26th CPSU Congress, and on the need not to let irresponsible individuals profit from the riches created for the society by others, the editorial elaborates on the qualities of socialist man and on the emphasis placed by the CPSU Central Committee's extraordinary session on discipline, the fulfillment of duties, socialist social relations, socialist democracy, and the system of the people's self-administration. The editorial then quotes Gorbachev on the need to inform people about the party's work; and cites the CPSU documents on the danger that a merely verbal promotion of party tasks and demands without appropriate actual deeds may undermine the initiative of the masses. The editorial then again quotes Gorbachev on support for those who manifest in practice their honorable attitude toward social duties and on the fight against manifestations of ostentatiousness, bragging, irresponsibility, and empty words, and concludes: "The Soviet people accept the CPSU's policy with awareness of their own great responsibility; they understand the policy because it responds to their wishes and needs; and they appreciate its principled nature. The strategic line of the 26th Congress, elaborated at the further Party Central Committee sessions--and Mikhail Gorbachev expressly recalled from among these sessions the one in November 1982--form in their totality a directive which will result in a comprehensive strengthening of the Soviet Union's social, economic, and defense potential. Moreover, it is also the CPSU's instructive contribution to the theory and practice of building developed socialism."

CSO: 2400/321



CZECHOSLOVAKIA

PARTY PRESS REPORTS KADAR CONGRESS SPEECH

AU271344 [Editorial Report] Prague RUDE PRAVO in Czech on 26 March on page 7 and Bratislava PRAVDA in Slovak on the same day on pages 1 and 7 both carry an identical, 1,800-word account of the opening speech by Janos Kadar, first secretary of the MSZMP Central Committee, at the 13th MSZMP Congress in Budapest on 25 March. The RUDE PRAVO and Bratislava PRAVDA version of the speech, entitled "From Comrade Janos Kadar's Speech," cites the Hungarian party leader on the importance of the congress, the pregress discussion, the role of the MSZMP, the domestic political situation in Hungary, the successes of the Hungarian economy and the major tasks facing it at present, and the MSZMP's assessment of the current international situation.

Quoting Kadar on socialist democracy, the RUDE PRAVO and Bratislava PRAVDA version notes his statement that the "new election law" will "significantly contribute to the development of socialist democracy," without mentioning that the new law provides for more than one candidate for each seat. Also, RUDE PRAVO and Bratislava PRAVDA do not include any references to past or planned economic reforms in Hungary.

CSO: 2400/323

CZECHOSLOVAKIA

MOROCCO PROTESTS TO CSSR OVER SAHARAN ISSUE IN BOOKLET

130161449 Rabat MAP in French 1000 GMT 16 Mar 85

[Text] Rabat, 16 Mar (MAP)--The director general for political affairs in the Moroccan Ministry of Foreign Affairs received on Friday in Rabat the Czechoslovak ambassador to Morocco to whom he expressed the indignation of the Moroccan Government following slanderous allegations contained in the booklet "The Developing Countries and World Peace," distributed in the Hall of the Seventh Art [as received] in Rabat on the occasion of the week of Czechoslovak Film.

The Czechoslovak ambassador expressed his government's deep-felt regrets as to the contents of this booklet which are in total contradiction with the stand of the Czechoslovak Socialist Republic on the Saharan question. He also reiterated his country's wish to consolidate its relations with the Moroccan Kingdom in all fields.

After listening to the explanations made by the Czechoslovak ambassador, the political affairs director general stressed that Morocco continues to seek solid relations with Czechoslovakia based on the principles of mutual respect and noninterference in internal affairs.

CSO: 2400/323

CZECHOSLOVAKIA

BILAK MEETS IRAQ'S CP LEADER

10230239 Prague Domestic Service in Czech 1730 GMT 22 Mar 85

[Text] Vasil Bilak, member of the Presidium and secretary of the CPCZ Central Committee, today met (Aziz Muhammad), first secretary of the Central Committee of the Communist Party of Iraq. During their discussion both representatives spoke in favor of a further intensification of contacts between the two Communist parties. They condemned the actions of the ruling circles of the United States aimed at stepping up the feverish arms build up and their attempts to dictate from a position of strength their will to the world, which runs counter to the vital interests of nations and increases the danger of a nuclear war breaking out. During an exchange of views on the situation in the Middle East, they condemned resolutely the genocide and barbarism the Israeli aggressor is committing in Lebanon, which are reminiscent of the crimes of fascists during World War II. They spoke in favor of an ending to the senseless war between Iraq and Iran and the peaceful settlement of all contentious issues on the basis of a just and democratic solution. Vasil Bilak and (Aziz Muhammad) voiced the view that the vital interests of the Arab nations call for a closer cohesion of the anti-imperialist and national-patriotic forces, including the Palestinian resistance movement.

CSO: 2400/321

CZECHOSLOVAKIA

ENVIRONMENTAL SYMPOSIUM WITH FRG LAND 'VALUABLE'

AU201209 [Editorial Report] Prague RUDE PRAVO in Czech on 18 March 1985 on page 2 of the "We Comment" column carries a 950-word Jaroslav Michalek article entitled "Searching for Common Solutions," devoted to the 3-day symposium on environmental protection held in Prague on 13-15 March, which was jointly sponsored by the Czech National Council and the FRG North Rhine-Westphalia Land Government.

Michalek says in part that the symposium was "one of the first great joint actions" resulting from the "long-standing contacts" between the Czech Socialist Republic and North Rhine-Westphalia, and that the two industrially developed countries have similar problems and worries with respect to ecological issues.

The author goes on to say that "Czechoslovakia used to be, and by some people in the West still is attacked for being an 'exporter' of atmospheric pollution. However, already at last year's important international environmental conference held in Munich, our republic was able to present cogent evidence that we are to a much greater extent 'importers' of harmful air pollutants, brought to us by the predominating Western winds. On the basis of Western systems which measured the long-distance transmission of emissions in the atmosphere, it was proved at the Munich conference that [two-thirds?] of the fallout of sulphurous compounds reach our territory from Western Europe, in particular."

This show, Michalek continues, that it serves no purpose when "individual countries accuse one another and count how many tons of harmful substances cross from one side to the other"; this is of no help and it improves nothing. The author then quotes Josef Kempny, chairman of the Czech National Council, as having said on the symposium's opening day that "the only constructive path is to pool findings and experience" and search for common solutions.

Closing his article, Michalek notes that the symposium "can be depicted as a contribution in all respects. It showed the participants from the two countries that the endeavor of experts must be stepped up even more. The symposium was a valuable fount of experience, but at the same time it also pointed out where, in the first place, one has to cooperate as closely as possible."

CSO: 2400/321

CZECHOSLOVAKIA

BRIEFS

KEMPNY ADDRESSES YOUNG ARTISTS--Josef Kempny, member of the CPCZ Central Committee Presidium and chairman of the Czech National Council, today met more than 50 young artists in the Valdstejn Palace in Prague. Present at the traditional meeting with members of the rising artistic generation were Josef Havlin, secretary of the Party Central Committee, and other representatives. Comrade Josef Kempny recalled the progressive and deeply humanist traditions of Czech and Slovak culture, whose development had been always closely connected with the progressive forces of society and which fought against capitalist oppression, fascist barbarism and everything that reduces and destroys human life. Comrade Josef Kempny said that we expect the rising artistic generation to help us in the fight against superficiality, routine, laziness, justified egalitarianism, slipshod work and other shortcomings. Young people, in their own interest, must fully understand the essence of the present and the foremost importance of the struggle for peace. [Text] [Prague Domestic Service in Czech 1530 GMT 21 Mar 85 LD]

DEFENSE MINISTER, CPSU'S KUZNETSOV MEET--Colonel-General Milan Vachalik, Czechoslovak minister of national defense, was received in the Kremlin today by Vasilii Kuznetsov, candidate member of the CPSU Central Committee Politburo and first deputy chairman of the USSR Supreme Soviet Presidium. They exchanged views on topical issues of the current international situation. Milan Vachalik assured Vasilii Kuznetsov that the Czechoslovak armed forces will continue to strengthen all round friendship and alliance with the Soviet Union and support the peaceful foreign policy of the CPSU and the Soviet state. [Text] [Prague Domestic Service in Czech 2030 GMT 21 Mar 85 LD]

CSO: 2400/321

GERMAN DEMOCRATIC REPUBLIC

DETAILS PROVIDED ON TWIN ANTIAIRCRAFT GUN

East Berlin AR-ARMEERUNDSCHAU in German No 1, 1985 (signed to press 16 Nov 84)  
pp 70-73

[Article by Maj Ulrich Fink: "ZU-23-2--a Versatile Twin"]

[Text] Just as they had occupied their position and the towing vehicle had gone into the limber position, the announcement came: "Air alert!"

The gun crews quickly took their positions at the ZU-23-2 twin antiaircraft guns. And when the aircraft arrived, with its tow target behind it, it was met with a hail of defensive fire. Later, during the critique of the combat firing, the verdict went something like this: the gun crews are fully familiar with the weapons entrusted to them: the good to excellent hit record is proof of that.

What is this ZU-23-2 all about?

This 23 mm anti-aircraft gun is a twin gun and is one of the weapons for defense against enemy air attack from distances of up to 2,500 meters and altitudes of up to 1,500 meters. However, it can be used also for attacking lightly armored ground and water surface targets up to 2,000 meters distant and for anti-personnel purposes. In the Soviet Army, this weapon is intended for the defense of airborne troops against attack by aircraft and helicopters. It is air-transportable and can be parachuted in drop containers or on pallets. An antiaircraft battery equipped with ZU-23-2's is capable of providing perimeter defense, even for airfields, against attacks from the air or ground. This gun's performance capabilities, provided for in its design, permit its use for all those purposes.

Its basic element are the two 23 mm weapons (right and left), which are identical in construction and show differences only in the belt feed. They consist of the barrel, weapon housing, breech block with gas piston, breech, feed mechanism cover, feed and firing mechanism with anti-jamming device, base plate, locking device and recoil damper. The weapon housing is attached to the cradle in front and back.

The gun mount consists of the upper mount, the part of the gun which can be rotated horizontally; the cradle, which permits aiming at different altitudes, and the lower mount with the wheels and conversion hydraulics.

The weapon is constructed in such a way that it is theoretically possible to attain an enormous rate of fire of up to 2,000 rounds per minute. This is a considerable achievement by the designers, considering the fact that the ZU 23-2 is not a machinegun but rather a 23 mm cannon. Each of its rounds weighs almost 200 grams and leaves the barrel at an initial speed of 970 meters per second. This high rate of fire is dictated mainly by the purpose of the gun, since it is devoted to attacking aerial targets moving at speeds of up to 1,100 km/hour. An aerial attack is precisely planned and executed by the enemy. Nor can one assume that it consists of aircraft or helicopters approaching in formation as in a parade. They would be maneuvering, change altitude and speed as well as direction. Which is why the Soviet designers built the ZU-23-2 in accordance with the so-called hunter principle.

What does that mean?

If a hunter were to try to hit a duck with a single bullet, he would hardly be successful. He therefore fires twin shotgun shells so as to increase his hit probability. But you cannot fight aircraft with shotgun shells. To obtain a similar effect nevertheless, antiaircraft weapons must be able to fire very rapidly, if possible from several barrels. Which is why the ZU-23-2 consists of two weapons which provide a high rate of fire. During firing, up to 33 rounds per second pass through the two barrels. But this kind of a "shotgun" charge weighs a lot more than that of the hunter--more than 6 kg. The ammunition fired by the ZU-23-2 consists of cartridge-type artillery rounds, fragmentation shells and armor-piercing shells with tracers. The weapons are fed ammunition belts out of metal cases, each of which holds 50 shells.

If each of these rounds were to hit the desired target, only 100 rounds would be required to destroy 100 targets. But this is impossible for practical purposes. To provide for economic use of ammunition nevertheless, the antiaircraft gun has an automatic antiaircraft gunsight. It computes the intersection between shell and target when firing at aerial or ground targets. For this purpose, the gun aimer must determine the direction and speed of the target as well as its distance and input this information to the gunsight. If this is done correctly, it is certain that the shell and the target, which approach each other at different speeds and angles, will actually meet.

The elevation range of the antiaircraft gun of -10 to 90 degrees enables its crew to fire almost vertically into the sky. Nor can aerial targets approaching from whatever direction surprise it, since the twin's azimuth range is 360 degrees, i.e., unlimited for practical purposes. The azimuth drive permits horizontal aiming at a speed of 60 degrees per second. Thus a proficient gunner can turn the barrels into the opposite direction within 3 seconds, if required, for example, in firing upon fast and low-flying fighter bombers.

Another advantage of the gun becomes apparent when the antiaircraft gun is on the move and fire must be opened as quickly as possible at suddenly



attacking aircraft. In those cases the ZU-23-2 does not require a prepared firing position, but merely a relatively level piece of ground. As soon as the towing vehicle stops, the position is established. In fact the crew can open fire while the gun is still moving. This capability must be regarded as being among the most important, considering the fact that the dynamics of modern combat frequently cannot spare time for lengthy preparations of position.

The conversion hydraulics also serve to speed up the changeover of the ZU-23-2's moving mode into its battle mode. It causes the gun to lower itself to the ground under its own weight. The two wheels of the torsion bar suspension swing upward and to the side, thus making the antiaircraft gun in its combat mode rest upon the three leveling screws, each resting upon a leveling plate. A proficient crew can convert its gun from the moving to the battle mode in 15 to 20 seconds; the reverse conversion takes 35 to 40 seconds.

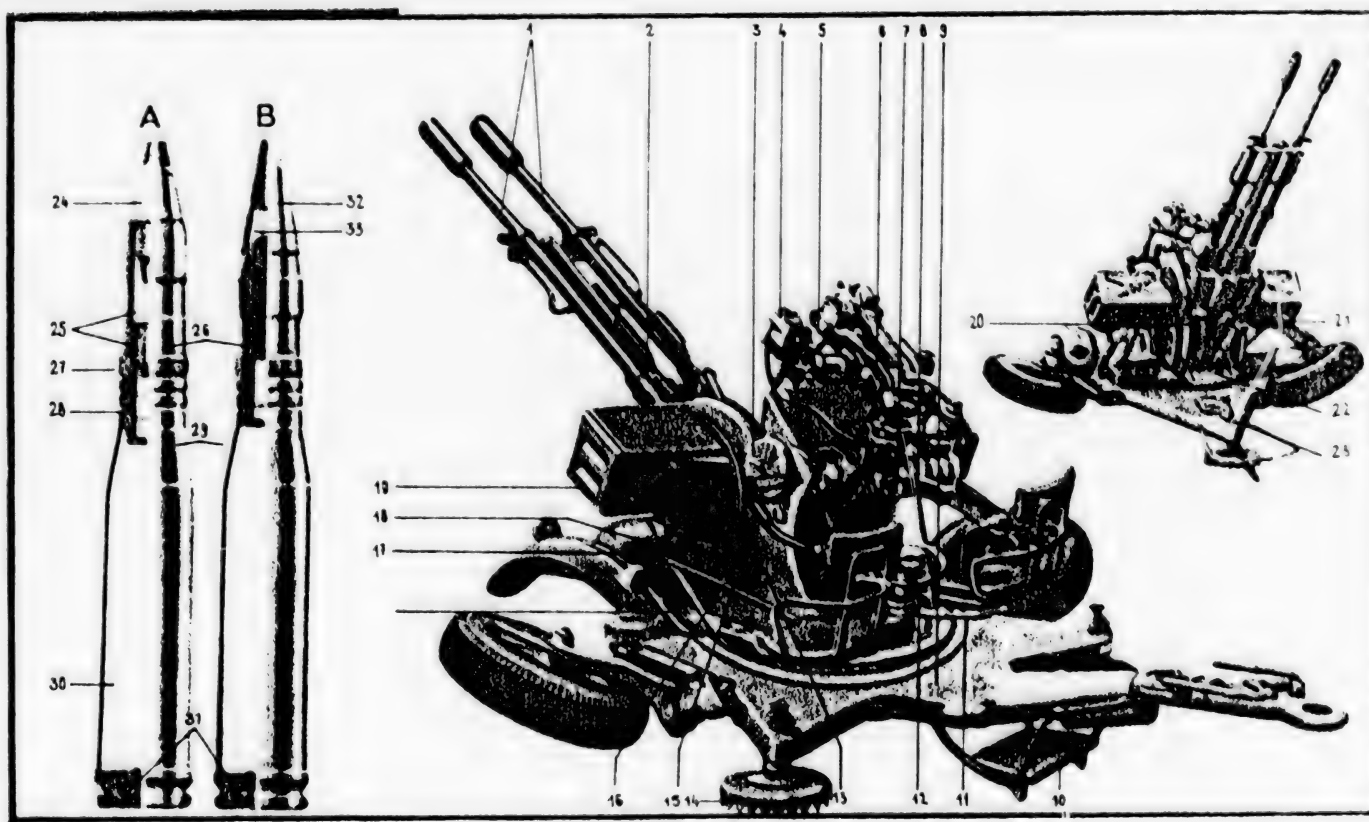
In combat, the ZU-23-2 has a five-man crew: The gun commander, the gunner, the gun aimer, the left and right gun loaders.

The gun commander must continuously observe the aerial target and track it. But he determines direction and target speed not only by estimate and experience. The gunner must operate the aiming mechanism in such a way that the crosshairs of the collimator gunsight remain centered upon the target. He also operates the firing pedal from his seat. To ensure uninterrupted firing the two loaders must constantly bring up new ammunition belt cases and replace the empty ones. This is an important and somewhat demanding task, since every full belt case weighs 35.5 kg. The loaders must therefore be physically strong soldiers with a lot of stamina, because during combat more than one or two of those cases pass through their hands. In addition, the standard time for changing the ammunition cases is very short--the exchange must take no longer than 5 to 10 seconds.

The barrels heat up during protracted firing of the antiaircraft gun. It is conceivable that above a certain temperature they would become deformed. What to do when this limit is reached? Should one cease firing and wait until the gun has cooled down? That is not necessary. The designers have provided for this eventuality by making the barrels interchangeable. The procedures for this are simple enough to enable the crew to accomplish it within 15 to 20 seconds under field conditions.

On the move, the gun is towed by a light truck, since its gross weight, including accessories and ammunition belt cases, is less than one ton. The draw bar has two positions, thus ensuring a horizontal position for the antiaircraft gun no matter the height of the towing connection on the towing vehicle, which can move the twin gun at up to 70 km/hour on good roads.

While the medium-caliber antiaircraft artillery is gradually being replaced by antiaircraft missiles, the ZU-23-2 and other small-caliber antiaircraft guns will probably remain a part of the weaponry of the socialist armies for some time to come, since they provide excellent opportunities for their crews to successfully attack low-flying aerial targets.



Key for Diagram of the ZU-23-2 23 mm Anti-Aircraft Gun

- |                                    |                                  |
|------------------------------------|----------------------------------|
| 1. Barrels                         | 18. Firing Pedal                 |
| 2. Barrel housings                 | 19. Ammunition Belt Case         |
| 3. Elevation Device                | 20. Manual Cocking Device        |
| 4. Collimator Gunsight             | 21. Manual Cocking Device Handle |
| 5. Ground Combat Sight             | 22. Cartridge Ejector            |
| 6. Automatic Antiaircraft Gunsight | 23. Tool Box Cover               |
| 7. Barrel Equilibrator             | 24. Fuse                         |
| 8. Manual Firing Device            | 25. Explosive Charge             |
| 9. Base Plate                      | 26. Shell                        |
| 10. Base Support                   | 27. Guide Ring                   |
| 11. Hand Brake                     | 28. Illuminant Charge            |
| 12. Azimuth Drive                  | 29. Cartridge Case               |
| 13. Upper Gun Mount                | 30. Powder Charge                |
| 14. Leveling Screw                 | 31. Detonator                    |
| 15. Cradle Detent                  | 32. Ballistic Cap                |
| 16. Manual Detent                  | 33. Incendiary Pellet            |
| 17. Foot Brake                     |                                  |

A - High Explosive Fragmentation Shell  
 B - Armor Incendiary Shell

9273

CSO: 2300/286

HUNGARY

IMPLICATIONS OF REFORM CRITIC GASPAR'S RETURN TO POWER

Paris LE MONDE in French 8 Mar 85 p 6

[Text] The secretary general of the council of Hungarian trade unions, Lahos Mehes, 57, has resigned for "health reasons," according to an announcement made on Tuesday 5 March, by the official agency, MTI [Hungarian Telegraph Agency]. This resignation, which took place a few weeks before the party congress, could mean that Mehes will also lose his position in the politburo.

After having been party secretary for the Budapest region, then appointed to head the super-ministry of industry, Mehes had replaced Sandor Gaspar in the directorship of the trade unions in December 1983. Gaspar was one of the principal figures in the Hungarian hierarchy and one of the "old-timers" on the Kadar team.

Gaspar was then appointed to a position which seemed somewhat more honorary than anything else--the position of president of the council of trade unions (which was all the more justified because the interested party continued as president of the World Federation of Trade Unions).

On the occasion of Mehes' resignation, a reorganization of the operations of the council of trade unions was announced: the work of the council "will be directed by the president, the number one representative of the trade union in Hungary and abroad," according to the MTI agency. The new secretary general, Tibor Baranyai, 55, a trade union apparatchik and a member of the central committee, will, therefore, have only a subordinate role.

Are we to deduce from this that the realignment represents a return to power for Gaspar, who is known to have been quite reticent with respect to economic reforms? The MTI communique, while describing the importance of the new role of the president of the trade unions, does not expressly state that this function is to be Gaspar's responsibility.

Such a statement, of course, is not necessary. Doubtless, we will have to await the party congress which will be inaugurated on 25 March to get a more precise idea of the balance of power within the Hungarian hierarchy, where a certain amount of friction is almost palpable.

We can also place within the perspective of this congress the warning addressed recently to the "opposition" by Minister of Interior Istvan Horvath. In an article published on 2 March by the party organ, NEPSZABADSAG, the head of the police apparatus, on the subject of "hostile and opposition elements," wrote: "In most cases, a warning is not enough" and "firm action and a legal procedure are necessary." In a tone that was somewhat uncusomary in Budapest, Horvath established a rapprochement between these forces of the opposition and the "extremist forces of the United States and imperialism."

8143

CSO: 2900/1

9 April 1985

## HUNGARY

## DIFFICULTIES PLAGUE FORMATION OF PRIVATE ASSOCIATIONS

## Official Confusion Noted

Budapest OTLET in Hungarian 10 Jan 85 p 3

[Editorial by Zoltan Biro: "Dear Reader"]

[Text] There was a sleepy female voice at the other end of the line: "Association? What is an association?" "Pardon me, am I not speaking with the administrative department of the district council?" "Yes indeed." "Then surely you know what an association is, you supervise them...." At this point our official set aside the phone, the sounds of a brief exchange filtered into the telephone, and then she spoke, just as sleepily, but now a little nervously: "We have only the Gymnastics Club." "No others?" "That's what they say."

I got similar answers from officials at three other councils. Originally I had begun to telephone only to inquire after the addresses of newly formed associations, but inadvertently the inquiry became a collection of data. It turned out that some of the organs providing authoritative supervisory jurisdiction (as it is so nicely called) consider only sport and animal breeding groups to be associations.... But in a few urban districts they knew quite precisely what we were inquiring about--the forming of some associations has already raised a bit of a storm for most of them, because there have been a few cases in recent years which smelled of scandal. The naturalists started it, the city protectors and the small undertakings have continued it.

Of course it is no accident that some council workers did not understand offhand what the question involved. Even today it has not been precisely determined what we mean by the expression "association." We will not get far with the legal definition, it is too broad and unlimited. It covers Go players, city beautifiers and pigeon fanciers alike. According to this it appears largely a matter of chance when and why the office supports the formation of one association and on the basis of what thinking they fight tooth and nail against the formation of another--which corresponds in an exemplary way to our constitutional basic principles. In one of our examples the city council, seeing the favorable goals of a group, not only did not hinder its formation, the administrative department chief himself helped guide them through the jungle of legal prescriptions. In another case an office 30

kilometers from the former one--naturally on the basis of the very same regulation.---used every trick of bureaucratic maneuvering to put a group of people on the shoals.

In our cover stories this week we try to describe what chances there may be to form what sorts of associations in our country today. We sought out the so-called "association type" organs which are created by the citizens from below, as they say, and we deliberately did not deal with, for example, sport, hunting or even fire fighting associations. Thus, perhaps, the total picture of our articles may appear cut and dry, because all of them are associations legally, but in reality one is only part of an overcentralized office, another is really an economic undertaking, the third may become a friendly circle, being forced to function so, and the fourth....

And yet, dear reader, cause for confidence is given by the mere fact that they are coming into existence and multiplying. And although the decree that was passed three years ago ties the formation to double authorization, the number of associations formed in this brief time is greater than all those formed in the three decades before. We can have confidence.

#### Official View: Association Limitations

Budapest OTLET in Hungarian 10 Jan 85 pp 12-13

[Interview with Robert Donath, deputy chief of the Capital Council administrative directorate, by Andras Deak: "Office Versus Citizen"]

[Text] A need to form associations has increased tangibly in recent years, which is a favorable social phenomenon, since it shows public life interest and animation. But sometimes, judging by the procrastination that the founding entails, it appears that some of the authorities are receiving this great surge of social enthusiasm with mixed emotions. We put our questions to Dr Robert Donath, deputy chief of the administrative directorate of the Capital Council.

[Question] Is the office or are the regulations insufficiently "pro-association"?

[Answer] There are certain limits on the right of association in every country. I think that the state has a natural need to see that only those associations can operate in the country which have goals which do not endanger the social or economic order. In the interest of the members to be brought into a future association also it is justified to examine in advance whether the goals for the realization of which they want to organize an association are realistic and attainable. For example, it certainly is not contrary to our social order to authorize an association of space travelers or polar explorers, but such things would only make questionable the seriousness of the entire movement.

[Question] But sometimes new, unaccustomed ideas or needs cause the authorities to become confused even when the imagined goal is realistic and in



the final analysis not socially objectionable. We need think only of the procrastination connected with forming an association of nudists or rejecting a request by small entrepreneurs in Budapest....

[Answer] As for the naturists, this involved a national association whose supervision does not belong to the council. It is true that we did not authorize creation of a capital association of small entrepreneurs. In the end this matter--in view of its significance in principle--went all the way to the Supreme Court, the judgment of which upheld the rejecting decision of the council. The essence of this was that a few economic work associations and civil law societies wanted to create an association which would offer educational and other services to all small entrepreneurs in the capital. So this actually represented the promise of a new undertaking on the part of the entrepreneurs, which was unambiguously an economic activity. It is no accident that the 1981 modification of the law decree concerning associations guarantees the right of association in the interest of developing the social, cultural and other activities of citizens, and no longer makes separate mention of economic goals--in contrast to the earlier decree.

[Question] Does this mean in practice that the associations cannot deal with any sort of economic activity?

[Answer] This is not what is involved. Naturally the associations can engage in management too, but only incidentally. They can perform such activity to further the activities of the members without going beyond this. The possibility of unlimited management activity would provide a way of profiteering in the guise of an association, earning untaxed income.

[Question] It cannot be easy to draw a precise line between management activity of acceptable size and that exceeding the scope of the association.

[Answer] We are not thinking of a rigid dividing line here either. It has happened, for example, that a pigeon breeding association requested a permit to use its two little trucks, from time to time, to haul freight for others for a fee, as a supplementary activity. They got the permission to do this on the basis of a position taken by the ministry. The situation was different with the quail breeding association, which began a real business undertaking--taking advantage of the spread of the "quail fad." It began to advertise its services, opened a cosmetic salon, etc. It is obvious that such a "large scale" economic activity exceeds the scope of the association. On receiving official warnings they saw this themselves and decided to dissolve the association and form an economic work association.

[Question] Returning to the planned association of small entrepreneurs, many objected: How is it possible that first the council issued a permit to organize the association and then denied registration of it?

[Answer] It is true that official authorization takes place in two steps. First the beginning of organizational work must be reported to the administrative department. He who neglects to do this is abusing the right of association and commits a violation of the regulations; in a more serious case he commits a crime. The same thing applies to one who continues to organize



an association despite a decision of the council forbidding it. It also happens that following the preliminary report the council asks for more detailed information--where would the headquarters of the association be, where will it get its money, what precise goals does it have. Then come the general founding meeting, adoption of the bylaws and registration of the association. This last thing signifies the legal formation of an association. So it is not excluded that originally the council recognizes the organizational work, knowing the previously indicated ideas, yet later still denies official registration because, for example, the adopted bylaws are contrary to the decrees. I would like to emphasize that since a constitutional right is involved those wanting to found an association have the right to refuse to take note of even a second level rejection decision and take the council to court. This happened in the case of the small entrepreneurs.

[Question] As I understand it the council does not have the right to decide whether or not the creation of an association is justified. If it meets the legal conditions then it must be registered.

[Answer] That is true. We cannot say, for example, "Why should we register another pigeon breeding association when there are already more than ten in the capital?" But it is an entirely different question that naturally an association cannot be formed to carry out an activity which is expressly forbidden by some regulations. To take an extreme example, those playing "last card" could form an association but those playing "twenty-one" could not, because according to a government decree every game of chance in which winning or losing depend exclusively on chance is forbidden.

[Question] The life of an association is based on the autonomous activity of the members, on self-government. How can the so-called state legality supervision be reconciled with this, and what sort of intervention might this mean in practice?

[Answer] Naturally the councils, the authorities exercising supervision, cannot be satisfied with the fact that the association has been registered, they must continue to watch its operations too. We do not have a say in the internal life of the association, but we must check regularly to see if its activity corresponds to the regulations and its own bylaws. I usually illustrate the character of legality supervision with the example that an authority supervising a bridge association does not have to know how to play bridge, because he can have no say in the bidding, in the rules of the game. But he must check whether the bookkeeping at the association is in order, whether the certificate discipline is proper, whether the general meetings constitute a quorum. If an association has not been functioning regularly for more than a year or if the number of its members remains below ten, then we are obliged to proclaim it abolished.

[Question] How many associations are active in the capital at present?

[Answer] The administrative departments of the city district councils keep records on 43 associations. The largest number--five--are in District XX; at the moment there are no registered local associations in districts I, II or

VI. A significant number of the associations deal with carrier pigeons and small animal raising, but there are more and more residential clubs for cultural purposes also. Associations have been formed for city beautifiers, art collectors, friends of film and even a fancy bird enthusiasts. And in Nagytetyeny they formed a rose club.

[Question] Around the country one can hear about more and more friendly groups or small communities which actually form independent organizations--it may be without legal obligations--which get together or meet regularly. Does a need to form associations arise in their case?

[Answer] One does not have to form an association for meetings of friends, to drink beer. But joking aside, we are also meeting such friendly circles ever more frequently. For example, there are special groups for people who moved to Budapest from the various cities and counties or of people who studied at the same secondary school. But by their nature these are not open organizations and they do not have self-government in the legal sense; at most they have leaders entrusted on the basis of unwritten law. To tell the truth, so far only the Mercedes Friends' Circle has applied to us to form an association. They are allegedly bound indissolubly together by the similarity of the cars in their possession. But since their intent was directed not so much at the cultivation of friendly contacts as at repairing the cars and ensuring a supply of parts--not entirely unselfishly of course--it would be better for them to form an economic work association instead of an association....

#### Association Law Provisions Detailed

Budapest GTLEK in Hungarian 10 Jan 85 p 131

[Unsigned article: "What Does the Law Say?"]

[Text] Section 66, paragraph (1) of the Civil Code: "An association comes into being if at least ten founding members at a general founding meeting decide to form an association, establish bylaws, and elect administrative and representative authorities and if the association is registered by the state organization providing legality supervision as appropriate in accordance with its scope of activity."

66. (3): "Provision must be made in the bylaws of the association especially for the name of the association, its purpose, its headquarters, its organization, its administrative and representative organs, how a membership relationship arises and ends and concerning the rights and obligations of the members."

67. (2): "If a decision of the association conflicts with the regulations or the bylaws then the state's attorney or any member can initiate annulment of the decision with the supervisory organ."

68. (2): "Election of the administrative and representative organs of the association, establishing the annual budget of the association, debate of the annual report of the administrative organ and announcing the dissolution of

the association or its combination with another association belong exclusively in the sphere of authority of the general meeting...."

69. (1): "The general meeting must be convened as needed but at least every 3 years; the general meeting must be convened if one third of the members desire it, indicating the purpose, or if the supervisory organ initiates it in writing."

70. (1): "The association is responsible for its debts with its own property. Members are obliged to pay only membership dues to the association; the members are not responsible for the debts of the association with their own property."

Excerpts from Law Decree 35, 1970, concerning associations--as modified by Law Decree 29, 1981:

1. (1): "The Hungarian People's Republic constitutionally guarantees the right of association in the interest of developing the social, cultural and other activities for the citizens."

2. (1): "The creation of an association can be initiated by state, social and cooperative organs and by citizens...."

2. (2): "The supervisory organ should forbid the organizational activity or should call on the organizer to end such activity if the purpose of the association is contrary to the state, social and economic order of the Hungarian People's Republic."

6.: "The Ministry of Internal Affairs will check to see that the organizing of an association is done only after submitting a report in advance to the supervisory organ or that association activity is conducted only by an organ which has been registered by the supervisory organ."

9. (1): "The provisions of this regulation must be applied to an organ (club, circle, etc.) operating within the framework of a social organization or other organization--not belonging under the force of this law decree--if it conducts association activity, especially if it has self-government and economic independence, and if its members can be not only people belonging to the organization mentioned or if its activity extends not only to the members of this organization."

The Development of the Numbers of Associations and Their Membership

Type of Association	Number of Associations			Number of Association Members (thousands)		
	1932	1970	1982	1932	1970	1982
Scientific	102	99	119	39.1	131.9	276.5
Artistic, cultural	1,827	14	90	267.0	6.4	41.5
Sport	1,331	4,575	3,013	195.4	1,149.0	720.1
Hunting	--	734	740	11.7	21.9	30.7
Fishing	--	371	694	--	92.8	239.2
Insurance, aid	1,389	9	12	790.8	322.7	329.1
Firefighters	--	2,705	1,481	70.8	93.8	57.1
Animal breeding, protection	--	328	295	--	27.5	27.6
Other	9,716	51	126	1,623.4	325.2	582.7
Charitable	836	--	--	160.4	--	--
Social clubs	3,807	--	--	476.5	--	--
Interest representation and economic	2,351	--	--	604.3	--	--
Total	14,365	8,886	6,570	2,998.2	2,171.2	2,304.5

8984

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HUNGARY

UNEMPLOYMENT, LAYING OFF WORKERS: PRO, CON

Budapest NEPSZAVA in Hungarian 15 Jan 85 p 4

[Article by Antal Szalay: "Independence Cannot be Abandonment"]

[Excerpts] Do we merely have to become friendly with the idea of layoffs, so our worries concerning efficiency and employment will be solved at once?

The right to work is not identical with the right to a work place--the latter one in fact does not even exist. It was only a misunderstanding surviving for years to think that everyone has to retire from the same place where his work-book was first accepted.

It would not make much sense to list here and now the factors that contributed to this misunderstanding of the recent years. And it makes especially little sense, in analyzing today's situation, to stew over this: Even now, by offering material and non-material benefits, the inefficiently operating enterprises or cooperatives can attract workers just as successfully as the profitable ones.

It could be perhaps more worthwhile, however, to examine in closer detail what considerations are used by job-seekers to select the employment most suitable for them. Obviously no one is likely to seriously think that before making their choice the workers will carefully examine the books of the hiring enterprises or cooperatives. Their decisions are based on much more earthly considerations. And we are not necessarily talking about "filthy" lucre, although undoubtedly the role of money is becoming more and more important nowadays. But it is still not important enough to negate the total effect of other factors defining the standard of living and life-style. In order to see "labor migrating to places where the profitability is higher," wages should reflect the efficiency of production much better than they do now. And we are not even mentioning that as long as growing portions of family incomes are derived from secondary employment, from legal or illegal activities, it would be difficult to increase the attractiveness of primary employment based on the prevailing pay differences.

Another reason for this situation is that the role of indirect factors influencing the standard of living and life-style is also growing. A few hundred extra forints will hardly make up for the higher cost of transportation



and the lost time, and even a thousand or two will not make up for the shortage of dwelling places, or for the loss of benefits derived from the vegetable garden or from having dual residency. The best proof for this were the industrial developments in the countryside, started with great enthusiasm a decade and a half ago and broken off equally abruptly. Whenever they had a choice, the inhabitants of villages or small towns preferred working within their communities, even for less money and under worse conditions, rather than facing the numerous disadvantages of long-distance commuting.

Furthermore, does not the overcrowdedness of the large cities that came into being during the past two or three decades prove that the issues of work place and residence cannot be examined separately from each other? Was not the swelling of our large cities--and the resulting economic tensions, even in the narrowest sense of the word--caused by the fact that in the process of industrialization only economic points were taken into consideration?

#### Today Only a Job, Tomorrow a Dwelling, Too

In the villages and small towns we can find the enterprises that were "relocated to the countryside." These are provided with worn-out machinery that can no longer be utilized in the industrial centers, and "using cheap labor, they produce items that are behind the times." It could be determined after just one day's examination that these plants are unnecessary.

True, they are unnecessary if we consider economic points. However, these work places are necessary because of social and political considerations. And even though many people regret this, efficiency, important as it is, is only one of the characteristics of these plants. At least as important is their location and degree to which they fit in with other factors.

When considering the future of the community, it makes no difference what kind of work places are absent: profitable or inefficient ones. In order to even debate this issue, it is necessary that these work places exist.

This, however, merits the question: Who should create these work places? Unquestionably, local resources are insufficient for this. What we need are central, governmental decisions that, in addition to points of economy, also take into consideration the social factors. It is no accident that while in all areas of life the increasing of independence, and the concomitant responsibility, is a well-defined task, there is another demand being formulated, which is at least as important.

Independence cannot mean that plants, enterprises, villages, and communities should become abandoned and isolated. Not only because of the material factors, the forints. On the contrary, primarily not because of them, since the locations of material resources are usually not identical with the locations of demands. A much stronger reason for this is that the most important precondition for harmonious development is unified planning that also synchronizes demands and goals, and this can only be done in a centralized manner.

## Truly Definitive

At the time the decisions concerning the further development of economic management were made, there could have been people who viewed the growing importance of planning as a negligible issue. There may have been, and there may still be people who consider this demand as an exclusively economic task.

The fact that they were incorrect has been illustrated, not just by the regrettable experiences of the past few years and the present contradictions. Nowadays, political and governmental policies state the--otherwise self-evident--tasks, according to which in the making of economic decisions population goals, environmental factors, etc, should also be considered. This is not because anyone underestimated the definitive role of economic decisions, but exactly because they have a definitive bearing beyond the production of material goods influencing the other sectors of society's life. It could also be that the elimination of a plant, justified on economic grounds, today may hinder the realization of tasks "only" in the area of community policies. However, by tomorrow the same decision could have indirect frustrating effects on economic goals as well.

Thus, instead of concentrating on the most straightforward elimination of unprofitable work places and on the resulting layoffs, we should become receptive toward the facts and consequences listed above, quite aside from the fact that we must think about the future of the workers whose jobs disappear, even if this concerns only a few people instead of an entire community.

12588

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HUNGARY

COURSES TAUGHT ABOUT POLICE WORK IN SCHOOLS

Budapest NEPSZABADSAG in Hungarian 18 Feb 85 p5

[Interview with employees of the Budapest Police Department Headquarters by Gyorgy Polgar: "Unusual Homeroom Periods"]

[Excerpts] Second and fourth year students in secondary schools and trade schools are hearing lectures about themes connected with the work of the police. (Such classes are being given in the second and third year in the skilled worker training institutes.) The second year students in the secondary schools are being told about the causes of juvenile crime and the graduating students are being told about crimes against the state. Forty-five minutes is a short time. It is possible only to introduce the basic concepts and the most necessary information. Although the young people get answers to many questions it has been found that what they hear awakens the interest of the students and so a number of parents can continue what the police officers in civilian clothes have started at the podium.

Spreading Information, Clarifying Misunderstandings

Employees of the Budapest Police Department Headquarters started this work, which is important for them too, almost 20 years ago. The goals then still apply today and can be expressed with a single word, prevention. This is not an easy task, for the great majority of policemen do not carry out their obligations from a teacher's desk.

"Who is entrusted with this work of enlightenment and persuasion?"

"Officers and chief officers of the city district police stations who are well prepared and rich in professional experience," said Captain Mrs Laszlo Varosi, of the secretariat of the BRFK [Budapest Police Department Headquarters], who has been organizing and preparing the homeroom periods dealing with internal affairs for a long time. "A relaxed tone and understandable presentation are very important, because this determines whether what is said prompts them to further thinking. Last year a hundred lecturers held 1,639 classes in the 146 secondary schools or skilled worker training institutes of the capital and more than 57,000 young people attended.

"What can be accomplished in 45 minutes?" we asked Lieutenant Colonel Csaba Liskay, chief of the criminal affairs department of the District XI police station.

"As I see it we succeed in expanding the legal information of the young people. We outline for them the chief stations and circumstances of the path leading to crime and try to lead them to a recognition of the danger situations. Of course, frequently we must dwell on the basic concepts too. We have found that many of the boys and girls are not clear about the fact that from the viewpoint of the law they are children until their 14th birthday, and as such cannot be brought to account via criminal law; after that they may have to give an accounting before the police and the court for their deeds in violation of the law. Although the secondary school students are better acquainted with this than the skilled worker students, even a good number of them are of the opinion that if a youth between the ages of 14 and 18 years commits a crime then the parents are punished, not the perpetrator. These misunderstandings can be cleared up in minutes, and so time remains to clarify the more basic interdependencies also."

#### They Must Take It Seriously

The teachers at the Pal Merse Secondary School in Szinye greeted Major Imre Scheidt as an old acquaintance. The chief of the social property protection sub-department of the District VI police station has been visiting the students for 4 years. On this occasion Mrs Kalman Sztrokay and Mrs Gyorgy Erdosi, leaders of classes II/a and II/b respectively, informed him about themes of interest to the young people. Mrs Kalman Sztrokay said anxiously that her class had quiet, shy students and it was not probable that they would ask many questions. Mrs Gyorgy Erdosi warned that the children in II/b were what you might call too lively, but they were prepared because they had formulated a few questions in advance.

The major did not even get to read the questions of those in the b-class because the bell called him to the a-class. A breathless silence received him in the classroom, but after a few minutes the tension dissipated when the police officer took up a piece of chalk. He drew a tree with a thick trunk which symbolized the constitution and the system of laws; from it grew branches, the independent areas of the law. In this way he approached criminal law and then the chief theme, juvenile crime, received the emphasis. When he sensed the flagging interest he took up a discussion of the difference between misdemeanors and felonies by describing the case of a 16-year old student girl.

This made it easier to describe what the concept of danger to society means in reality, and who is punished and why on the basis of the laws. The time passed quickly, only 15 minutes remained. The girls and boys asked questions, interrupting one another. Would a person be punished for writing a confession of love on the wall of a building? What would be the fate of a Fradi fan who made the national flag into a club symbol? Can the police punish someone who wears jeans and jackets studded with rivets?

The bell had announced the end of the class minutes earlier but still no one moved. Andrea Meski recounted an unpleasant experience and her friend, Szilvia Dalmadi, added that unfortunately many young people today know of crimes and criminals not only from television and newspapers. During and after the class Zsolt Wertan was one of those trying to see how the different phenomena are interdependent. Among other things he complained that he had heard little about the reasons for police measures taken on occasion or about the crimes of adults. According to him no one is born to be a thief or burglar. They argued with one another too, but agreement received the words of Beatrix Huszti. The little girl said that the class had not been so active for a long time.

#### -Humor is No Obstacle

The b-class set a trap for the police officer. Even on entering the classroom we could sense that their class chief knew them well. The atmosphere reminded one of the mood of the student novels of Karinthy. A sign hanging from a lamp cast a shadow on the reproductions of the faces of respected historical figures. There was no doubt about the origin of the sign because it read: "Passengers with invalid tickets or without a ticket will pay an additional fee."

The students listened to the lecture with quickly exhausted patience and could hardly wait for the chief role to be theirs. The police officer did not hinder this, he made his message brief. Although they had put their questions on paper they had many others as well. They were curious about the difference between a jail, a prison and a penitentiary, and about the interdependence between the intoxication which has become known by the name sniffing and acting like a hippy. While the questions whirled past Imre Scheidt looked into the writings of the students, was startled for a moment.

"I read here," he continued with a straight face, "that someone asks what my opinion is about Kremox and its effect on crime. In my opinion there is a close interdependence between the two, but no one should expect miracles from Kremox, because it is the same as Ultrafix, only it has two wheels...."

After a momentary silence the laughter exploded from the children with elementary force. The student's trick--which was intended to confuse the speaker with an invented but proper sounding coinage--had succeeded better than they had thought. They found in the person of Imre Scheidt a quick-witted lecturer and suitable partner. This was his language too, and a person who understood this word found open hearts and receptive minds.

After the secondary school homeroom hours on internal affairs only one question remained. Why do they acquaint the children with the consequences of violating the criminal law prescriptions only at the age of 16 years? This is needed earlier, from the age of 14 years, for at that age they can be made officially responsible too. We learned at the BRFK that they recognized long ago the need for successful propaganda, but the conditions for primary school sessions were created only a few years ago. In 1983,

as an experiment, this form of instruction was introduced in six districts of the capital; it was extended to another six last year. This year, on the basis of the favorable experiences, every eighth grader in Budapest will be acquainted with the basic causes of juvenile crime, the need to prevent it and the possibilities for preventing it.

8984

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HUNGARY

DECREE ON POLICE RESTRICTIONS OF PERSONAL FREEDOM

Budapest MAGYAR KOZLONY in Hungarian 1 Feb 85 pp 100-101

[Decree No 1/1985. (II.1.) BM of the Minister of the Interior]

[Text] On the basis of the authorization received in Article 15 of Decree No 39/1974. (XI.1.) MT about the police, I decree the following:

Article 1

The police measures restricting personal freedom are:

- (a) escorting,
- (b) bringing before court,
- (c) arresting,
- (d) apprehending.

Article 2

(1) Escorting is the official activity of a policeman, with which he restricts the personal freedom of a person in order to give him protection.

(2) To be escorted are:

- (a) helpless persons who are in a condition of extreme intoxication, if they do not cause public scandal or disturb public order or safety, but whose removal from the public domain or other public place is necessary;
- (b) persons attempting or intending to commit suicide;
- (c) persons who are a danger to themselves and to the general public, who are helpless, homeless or unable to act responsibly for whatever reason;
- (d) children who have lost their way or are runaways, runaway minors;
- (e) persons persecuted by the mob and those whose life or bodily safety is in imminent danger.

### Article 3

Bringing before court is the official activity of a policeman, with which he restricts the person whose bringing before court was decreed, in order to bring him before the authorities.

### Article 4

(1) Arresting is the official activity of a policeman, with which he restricts the personal freedom of a person in the interest of public safety.

(2) To be arrested are:

(a) persons apprehended by a policeman;

(b) persons who, upon being so ordered by a policeman, cannot credibly prove their personal identity, refuse to prove their identity, or persons whose ID or the data written therein have doubtful authenticity;

(c) persons exhibiting riotous or otherwise violent behavior, except if continuation of the action is not to be feared and the perpetrator does have a residence and place of work;

(d) persons caught by a policeman in the act of violating the regulations concerning expulsion or surveillance by the police authorities;

(e) persons against whom a suspicion of general vagrancy has arisen;

(f) disappeared persons against whom a warrant of apprehension has been issued, if their arrest was expressly requested by the authority issuing the warrant;

(g) persons for whom there exists a reason that blood should be drawn from them for the purpose of a blood-alcohol content test;

(h) persons staying without authorization in the border zone, or who, while staying there, break the regulations concerning the border zone;

(i) persons committing the misdemeanor of scandalous drunkenness, if there is no other way to stop the misdemeanor.

(3) Arrested can be persons who:

(a) continue violating the rules in spite of being warned by a policeman;

(b) break the regulations pertaining to protective surveillance;

(c) beg for alms in a public place or going from house to house.

(4) If the arrested person is taken into custody, the beginning of detention must be counted from the time of arrest.



## Article 5

(1) Apprehending is the official activity of a policeman, with which he restricts the personal freedom of a person on the basis of a warrant of arrest or other decision by the authorities or on his own initiative.

(2) Apprehended must be persons:

(a) whose taking into custody, confinement under remand, was decreed by a court of law, by the Public Prosecutor's Office or the police authorities, or against whom a warrant of arrest has been issued;

(b) who escaped from the custody of the authority authorized to take him into custody, or of some authority thereof;

(c) who were caught in the act of committing a crime or attempting to do so;

(d) who escaped or hid after committing a crime;

(e) against whom there exists a well-founded suspicion of having committed a serious crime;

(f) who have in their possession under suspicious circumstances an object suitable for committing a crime with or whose lawful possession or use is questionable;

(g) who insult, revile or bodily harm a policeman taking lawful measures, or who resist his measures.

## Article 6

(1) The policeman--for the purpose of taking away objects suitable for attack or doing harm to oneself--may check over the overgarments of the person against whom he is implementing the police measure restricting personal freedom. The checking over of the clothing is carried out, if possible, by a person of the same sex as the one against whom the measure is being implemented.

(2) If on the persons escorted, brought before court, arrested or apprehended outward signs of injury are visible, and persons who are a danger to themselves and to the general public, they must immediately be examined by a physician. The injured must be made to give a statement, where, when, in what circumstances or by whom the injuries were inflicted.

(3) The policeman is under obligation to enforce the police measures restricting personal freedom--if necessary--even by using suitable coercive instruments (physical force, teargas squirting flask, handcuffs, police dog, night stick, weapons).

## Article 7

This decree becomes effective on the day when it is announced.

(signed) Istvan Horvath,  
Minister of the Interior

12772

CSO: 2500/259

HUNGARY

INTERVIEW ABOUT WORKINGS OF PROVINCIAL PRESS

Nyiregyhaza KELET-MAGYARORSZAG in Hungarian 27 Oct 84 p not available

[Interview with Tamas Szacsko, Director of Mass Communications Research Center, by Szabolcs Szilagy; date and place not specified: "About the Provincial Press"]

[Excerpts] [Question] Is the provincial press respected?

[Answer] It is, beyond doubt. It is a fact that during the past 10 years the megye [province] and city newspapers have grown most rapidly of all the printed media. There can be no other reason for this than that the provincial press is very popular. This was the decade when for the first time the total number of copies of the provincial papers exceeded that of the national dailies: with their 1.3 million copies the megye papers have become the nation's largest daily paper.

[Question] The fact that KELET-MAGYARORSZAG, for example, now appears in nearly 90,000 copies was surely not a spontaneous process. What gave the impetus? To what data can the boom in papers published in the provinces be connected?

[Answer] This had and has several causes: I find the most important cause myself in a political fact. Namely, that after the economic reform of '68, when economic decisions were decentralized, the decisions were placed on the same level as the responsibilities. This sooner or later was manifested in a reorganization of the management of information. The regions, megyes, and cities demanded information connected with their own life, which the central press and the national communications media were not able to "deliver" to such an extent. You cannot expect any central program, no matter how well it is working, to concern itself with every small or large concern, problem, and development of the provinces, megyes, and cities. So it was this political and economic decentralization that set off the boom. The second cause was political development, in other words the development of socialist democracy. But democracy implies that the citizen participate in the preparation of decisions, precisely so that if they were made democratically he himself will "undertake" or participate in carrying them out. Well now, it is impossible for participate in any kind of decision without information. So there was a need for information to multiply.

[Question] Recognizing the exceptionally high cost of complex information system, I would like to keep our interview on solid ground. Let's say that even on the threshold of experimental cable TV, we should not dream that in Nyiregyhaza we will soon be able to "call up" the pages of KELET-MAGYARORSZAG, for example, on a home computer in some part of town...

[Answer] There will surely be something like this in the future, but for us it is still in the distant future. Cable TV is in the near future. It is my feeling, otherwise, that cable television -- which I feel can be achieved in a couple of years in Nyiregyhaza, for example, and not just experimentally -- will not be a setback for the local written press, rather I am convinced that it will stimulate it to further development. For cable TV, particularly small-community cable TV, should not be thought of as primarily to replace mass communication at the time it is installed. The megye paper will continue to be a medium of mass information, whereas the small cable systems will be small communication media through which people will be able to become involved with the concerns of their own narrower communities.

[Question] Can we state that local cable television will be like a continual community forum?

[Answer] Not only here, but in many parts of the world, during the first phase of development the possibilities of community cable television were misunderstood, and they have wanted to copy the large television [systems]. In fact, the area in which the small community systems know more than the large ones is where they do not wish to broadcast colossal entertainment productions or "import" news of national significance or, God forbid, international news and commentary. When will the Nyiregyhaza cable TV have money to send its colleagues abroad as correspondents? But this is not even its function. Here in one section of Budapest, along highway M-7, the first community cable TV in the capital has just started to operate. The parents expressed extraordinary gratitude when the cable TV gave a program about the first day of school. Its camera panned the children from one end to the other, and they had to rebroadcast it two or three times, as the parents enjoyed watching again their little first-graders going to school for the first time. At first glance this may seem like a trivial thing and a poor solution, but if you please, this is how we live: our everyday life -- one must recognize -- clings to social practice.

[Question] Let's please return to today, the present written press and provincial radio studios: how do you evaluate the development of megye dailies and local radio?

[Answer] If you are asking me for a short range perspective, I can say that the Hungarian Radio has plans for developing regional, megye, and city studios. This is progressing along the traditional route. There will be one departure from tradition, and not very far into the future: the creation of "Budapest Radio" as the first. The fact that Budapest is not the whole country will at last be expressed in our radio system and program structure as well. Even Budapest is only a city, albeit the capital city. After that there is talk, a little farther into the future, of a "Balaton Radio" also, which would

broadcast during the summer vacation period. Beyond that, there is talk of several city radios in the provinces; in my estimation we may even go all the way to community radios. I am thinking of such low-power transmitters as the one that will start operating next January in Budaors: a few radio and television colleagues live in this section of town who have thought that it would be an outstanding place to experiment with operating a regular small-community radio. Hungarian Radio's management became a partner in this, because they have realized that the appearance of such demands on the part of small communities of village size is inevitable. Hungarian Radio will be able to keep the role of "elder brother" only if it helps these initiatives and sees clearly that they are everything but competitors.

[Question] So the eventual transformation of certain provincial studies to the city level would not be regarded as a "demotion" or a setback?

[Answer] Not in the least. It is more a question of a division of functions. It is also a fact that the Nyiregyhaza and Szolnok studios will increasingly become city studios, broadcasting to a small region, developing more into community programs as opposed to the regional studios serving larger communities and areas.

[Question] My previous question also referred to the near future of provincial, that is megye, written press...

[Answer] The regional papers also are not supposed to follow the central papers as a model. Nor are they doing so. I confess that the central papers also must make a step forward (when electronic mass communication develops so): they must offer a much greater proportion of background information. For the listener will receive lightning-fast but fleeting information through the air waves, but at the same time their limited program time leaves a void in the area of background analysis for the printed press. The papers must produce "unpackaged" materials to meet individual demands: they must serve the reader who is interested in more than the news, that is, the deeper background. This "layered" information supposes greater intellectual interest. The megye papers will also have an incomparably greater role in visualization and graphic representation. The make-up editor must compose each page with the knowledge that the eye of today's youth reacts differently. They are confronted with a "visual bombardment" whenever they walk down a street full of slogans, advertisements, and visual influences, and these become their everyday environment. Taking this into account, the papers must change their external graphic appearance. Offset technology is a very good basis for this.

[Question] I don't think I have been asking this of the wrong person, even though the research institute you direct works within the framework of the Hungarian Radio and Television -- that is, the electronic press...

[Answer] Beginning in January 1985 we will be operating as an independent institution, and we will have a broader area of research. But we will be concerned not only with research questions, but with the training of editors, editors with a modern outlook, and also with money and concepts. A

modernization of the structure of the entire press is also awaiting us. We are thinking of things that can be done today without any kind of financial difficulty. For example, the megye papers should supplement the electronic press by applying the interconnections between national events and general society to the life of local communities, megyes, and cities. I have experienced visiting the capital of a county when Parliament was making a decision whose manifold future effects on the county could be foreseen. The megye paper next day published the report from Parliament, but not even in its commentary did it reflect or ponder what this decision would mean for the megye. For this a reporter working in a megye needs to be more at home in the megye's political information system; he needs better contacts and perhaps more conversations. In recent times, more and more megyes, where the leaders really understand the role of information and mass communication, are holding so-called press conferences (even if they are not weekly), and they are informing reporters and conducting background interviews with them more frequently than before.

[Question] Thank you for the interview.

9611

CSO: 2500/273



HUNGARY

REGULATIONS CONCERNING USE OF DUPLICATING MACHINES MODIFIED

Council of Ministers Decree

Budapest MAGYAR KOZLONY in Hungarian 21 Nov 84 pp 1031-1032

[Council of Ministers Decree No 49/1984 (XI 21) Concerning Duplicating Machines]

[Text] 1. From the viewpoint of this decree:

- a. a duplicating machine is any device or piece of equipment which is suitable for producing press industry products with a duplicating procedure, with the exception of a typewriter,
- b. a duplicating procedure is a printing procedure, thus a relief, offset, intaglio, screen and non-mechanical or any procedure for making copies in the course of which a corresponding copy of text or figure can be produced,
- c. A press industry product is a duplicated document, written text, figure or piece of music, with the exception of products produced by screen printing not on paper and with the exception of copper plate prints,
- d. acquisition is the purchase, import, bestowal, lease or other transfer for use of a duplicating machine,
- e. a photocopying machine is a duplicating machine.

2. (1) With the exception of what is defined in paragraphs (2)-(3) a legal person can manufacture, trade, acquire, take from the country, use, repair or scrap a duplicating machine.

(2) An enterprise economic work association working with the enterprise is also authorized to use a duplicating machine being operated by a state enterprise carrying out press industry commodity production as its chief activity--for the purpose of producing press industry products ordered at the state enterprise.



(3) A cooperative special group is authorized to use a photocopying machine, an economic work association is authorized to acquire and use a photocopying machine, and in the case of a small capacity photocopying machine a private person is also so authorized.

3. (1) The legal person is obliged to keep records on duplicating machines manufactured, traded, acquired, repaired and scrapped by . .

(2) The chief of the legal person operating the duplicating machine and the worker of the legal person carrying out this task as a job responsibility are responsible for the secure storage and authorized use of the duplicating machine and for carrying out the obligations connected with registering and keeping records on the duplicating machine.

(3) Assent for the formation of an enterprise economic work association as defined in Section 2 paragraph (2) can be given only if the enterprise provides for supervision of the authorized use and secure storage of the duplicating machine made available for use.

4. The legal person is obliged to report in writing to the police station territorially responsible for its site, or for the site where the machine is operated if it is not being operated there, the beginning of the manufacture, trade, repair--except for repair at the site of operation of the duplicating machine--and the scrapping of a duplicating machine and the acquisition or receipt for use of a duplicating machine and the ending of this use.

5. In the case of a cooperative special group or economic work associations the member so entrusted or another private person--the member of a civil law association so entrusted--is responsible for registering, keeping records on, authorized use and secure storage of a photocopying machine as defined in Section 2 paragraph (3).

6. (1) The police will supervise from the police viewpoint the secure storage and authorized use of a duplicating machine and the record keeping as defined in Section 3 paragraph (1).

(2) The minister of internal affairs will establish the police regulations connected with secure storage of, record keeping on and supervision of duplicating machines.

(3) The minister of industry will define the sphere for photocopying machines including small capacity photocopying machines.

7. In the course of producing press industry products the operator of a duplicating machine is obliged to adhere to administrative provisions governing the press.

8. The following takes the place of Section 9 paragraph (1) of government decree No 17/1968 (IV 14) Korm. concerning certain violations of regulations:

"(1) One who violates the regulations pertaining to acquisition, manufacture, trade in, use, repair, scrapping, storage, registration or keeping records on duplicating machines can be punished with a fine of up to 10,000 forints."

9. (1) This decree goes into effect on 1 January 1985; at the same time, government decree No 11/1966 (III 5) Korm. and decree No 1/1966 (VII 31) KGM, and decree No 1/1969 (IV 27) KGM which modified it, lose their validity.

(2) When this decree goes into effect one conducting activity as defined in Section 2 or one having a duplicating machine in his possession is obliged to register at the appropriate police station within 30 days.

(3) One who is not authorized to conduct activity as defined in Section 2 at the time this decree goes into effect is obliged to end use of the duplicating machine and offer the duplicating machine in his possession to one so authorized for takeover within 60 days.

(4) What is contained in paragraphs (2)-(3) and in Section 4 and in Section 6 paragraphs (1)-(2) does not apply to the duplicating machines of the armed forces and armed bodies.

Signed, Gyorgy Lazar, President of the Council of Ministers

Minister of Internal Affairs Decree

Budapest MAGYAR KOZLONY in Hungarian 28 Dec 84 pp 1209-1210

[Decree No 2/1984 (XII 28) BM of the Minister of Internal Affairs Concerning Police Tasks Connected with Duplicating Machines]

[Text] On the basis of authorization contained in Section 6 paragraph (2) of Decree No 49/1984 (XI 21) MT concerning duplicating machines and in agreement with the interested ministers and chiefs of organs with national authority I decree as follows:

1. The records kept by one engaged in manufacture, acquisition, trade, repair or scrapping activity connected with duplicating machines or by a user of a duplicating machine must contain:

a. in the case of the manufacture of a duplicating machine, the quantity, type and factory number (hereinafter, machine data) of the machines manufactured and an indication of on whose behalf they will be traded,

b. in the case of trade, the designation of the manufacturer of the machine taken over for trade, in the case of import from abroad proof of origin, the machine data and the customer data (name and address),

c. in the case of repair, the data for the machine taken over for repair, the time of receipt and return and the designation of the party having the machine repaired,

d. in the case of scrapping, the data for the machine being scrapped, data on the party surrendering the machine and the time of surrender,

e. in the case of acquisition and use, the machine data, the place (site) of operation of the machine, the designation of the person responsible for record keeping, authorized use and secure storage.

2. A duplicating machine must be kept in a place where the door is furnished with a secure lock and, if needed, where openings are secured with a protective screen or some other security device.

3. Police supervisory activity connected with duplicating machines will be carried out by the police through the police station territorially appropriate for the site of the legal person, economic work association, special cooperative group or other private person or for the location where the duplicating machine is operated.

4. (1) One manufacturing, trading in, repairing or scrapping a duplicating machine or acquiring or using a duplicating machine is obligated to report in writing to the police station the beginning or ending of this activity within 72 hours.

(2) This report should contain:

a. in the case of manufacture of, trading in, repair or scrapping of a duplicating machine, the designation and address of the legal person, the designation and place of the activity connected with the duplicating machine and the machine data,

b. in the case of use or acquisition of a duplicating machine, the name and address (site) of the legal person, economic work association, special cooperative group or other private person, data on the duplicating machine being used or acquired and, if the duplicating machine will be used by an enterprise economic work association as well, the designation thereof, or the ending of this activity,

c. any change which takes place in the data defined in points a and b.

5. This decree goes into effect on 1 January 1985.

Signed, Dr Istvan Horvath, Minister of Internal Affairs

8984

CSO: 2500/304

POLAND

RESPONSIBILITIES OF SUPREME COURT PRESENTED

Structures Defined

Warsaw MONITOR POLSKI in Polish No 24, 30 Oct 84 pp 237-238

[Text] Item 164, Council of State Resolution of 29 September 1984 on the Supreme Court Statute

Based on article 6 of the 20 September 1984 Law on the Supreme Court (DZIENNIK USTAW No 45, item 241) the Council of State decrees as follows:

Article 1. The statute attached to this resolution applies to the Supreme Court.

Article 2. The resolution is effective the day it is announced.

[signed] H. Jablonski  
Chairman of the Council of State

The Supreme Court Statute

Article 1. 1. The following collegial organs operate within the Supreme Court:

- 1) the General Assembly of Supreme Court Judges;
- 2) the Assemblies of Judges of Supreme Court Chambers;
- 3) the Supreme Court College.

2. The Supreme Court College acts as an advisory board to the chairman of the Military Chamber.

3. Membership in and activities of the collegial organs listed in paragraph 1 are designated in the 20 September 1984 Law on the Supreme Court (DZIENNIK USTAW No 45, item 241).

Article 2. 1. The Supreme Court consists of the following chambers:

- 1) the Civil and Administrative Chamber;
- 2) the Penal Chamber;
- 3) the Labor and Social Welfare Chamber;
- 4) the Military Chamber.

2. The operations of each chamber are directed by one of the Supreme Court presidents.

Article 3. 1. The Supreme Court chambers are divided into divisions, which are directed by division chairmen who are selected from among the Supreme Court judges. In the Military Chamber, the divisions can be linked with branches.

2. The first president prescribes the demarcation of chambers into divisions.

Article 4. 1. The Supreme Court includes:

- 1) the Jurisdiction Office;
- 2) the Presidential Office.

2. The operations of the Jurisdiction Office and the Presidential Office are supervised by directors selected from among the Supreme Court judges.

3. The president for general affairs of the Supreme Court controls the Jurisdiction Office and Presidential Office.

Article 5. 1. The Military Chamber consists of the Suprainstantial Control Office and other organizational cells whose internal structures are established by the chief of the General Staff of the Polish Army.

2. The Suprainstantial Control Office is directed by the chief of that office, who is selected from among the Supreme Court judges of the Military Chamber.

3. The president of the Military Chamber designates the activities of the organizational cells mentioned in paragraph 1.

Article 6. 1. The Jurisdiction Office is divided into the following sections:

- 1) the Civil and Administrative Jurisdiction Section;
- 2) the Penal Jurisdiction Section;

- 3) the Labor and Social Welfare Jurisdiction Section;
  - 4) the Law Improvement Section.
2. The Supreme Court press officer operates within the Jurisdiction Office.
  3. Delegated judges or other persons having judicial qualifications are members of the Jurisdiction Office.
  4. Sections are managed by directors who are chosen from among Supreme Court judges.

Article 7. 1. The Presidential Office consists of the following divisions:

- 1) the General Division;
  - 2) the Labor Affairs Division;
  - 3) the Finance and Budget Division;
  - 4) the Economic Division.
2. The divisions are managed by chiefs.

Article 8. 1. Every chamber, division within a chamber, and the Jurisdiction Office contains separate secretariats, which perform auxiliary duties in judicial and administrative matters.

2. Secretaries, experienced legal secretaries and other legal personnel are employed in the secretariats.
3. Secretariats are managed by directors.

Article 9. The first president determines the internal organizational structure of the Supreme Court.

#### Functions Outlined

Warsaw MONITOR POLSKI in Polish No 24, 30 Oct 84 pp 238-243

[Text] Item 165, Council of State Resolution of 27 September 1984 on the By-Laws of the Supreme Court

Based on article 7 of the 20 September 1984 Law on the Supreme Court (DZIENNIK USTAW No 45, item 241), the Council of State adopts the following

#### Supreme Court By-Laws

#### Section I

#### General Regulations



Article 1. The first president, aided by the Supreme Court presidents and the Jurisdiction Office and Presidential Office directors, directs all Supreme Court activities.

Article 2. The first president sets schedules and establishes the agenda for meetings of the full Supreme Court, of the joint consolidated chambers, of the General Assembly and of the College of the Supreme Court, and appoints the chairmen of these meetings.

Article 3. The first president can instruct a chamber president or the Jurisdiction Office director to produce analyses and documentation concerning the jurisdiction of the Supreme Court, all the courts, the disciplinary courts and of other organs over which the Supreme Court has jurisdiction.

Article 4. 1. After hearing the opinion of the Supreme Court College, the first president appoints and dismisses division chairmen within the chambers, Jurisdiction Office and Presidential Office directors, Jurisdiction Office section directors, Presidential Office division chiefs and secretariat directors.

2. The first president employs Jurisdiction Office personnel and nominates and dismisses administrative workers. The president can authorize the Presidential Office director to establish and dissolve working conditions with the remaining supreme court personnel.

Article 5. The first president prescribes the announcement of Supreme Court decisions and opinions in official publications. The first president also directs decisions containing guidelines in the area of interpretations of the law and court practices to be announced in MONITOR POLSKI.

Article 6. The first president:

1) establishes the division of activity among the organizational units of the Supreme Court;

2) designates his own operating hours and the hours for accepting petitions in the Supreme Court.

Article 7. The president of a chamber determines the division of activity in his chamber and the allocation of administrative personnel within its divisions; in the Jurisdiction Office and Presidential Office, the director makes these determinations.

Article 8. In tending all proposals, petitions and requests of judges and employees to the first president, official channels must be used.

Article 9. The president for general affairs controls the Jurisdiction Office and Presidential Office, coordinates collaboration between the Supreme Court and other organs and performs other tasks directed by the first president.

Article 10. 1. The president of each supreme court chamber manages the operation of his chamber with the help of the division chairmen and secretariat directors. In particular, the chamber president sets schedules and establishes the agenda for meetings of the entire chamber and assemblies of judges of the Supreme Court, and establishes the schedule for court hearings and meetings of all adjudicating panels. The president of the appropriate chamber chairs meetings of the full chamber.

2. In his absence, a chamber president, with the approval of the first president, can designate one of his division chairmen to direct chamber operations.

## Section II

### The Competence of Chambers and the Scope of Activities of the Jurisdiction Office and Presidential Office

#### Chapter 1. The Supreme Court Chambers

Article 11. 1. The Civil and Administrative Chamber supervises, within the limits and procedures designated in the proper procedures, court jurisdiction concerning civil cases and complaints about administrative decisions, except administrative cases concerning labor rights and social matters.

2. The Civil and Administrative Chamber also hears cases delegated by the law on elections to people's councils.

Article 12. The Penal Chamber controls, within the limits and procedures designated in the proper procedures, court jurisdiction in penal cases that are subject to the general courts.

Article 13. 1. The Labor and Social Welfare Chamber controls, within the limits and procedures designated in the proper procedures, the jurisdiction of courts and other organs in cases concerning labor relations and social welfare, in cases concerning inventions and in administrative cases concerning labor laws and social matters as well as cases conveyed on the basis of specific regulations.

2. The Labor and Social Welfare Chamber also hears cases conveyed to the Supreme Court via statutes on state enterprises, on improving the management of a state enterprise and on its bankruptcy, on the self-government of a state enterprise work force, on trade unions, on social and professional organizations for farmers, and on laws concerning the legal profession and legal advisors.

Article 14. 1. The Military Chamber controls, within the limits and procedures designated in the proper procedures, the jurisdiction of military courts.

2. The Military Chamber also controls administratively military courts and military court judges.

3. Military Chamber judges are subordinate to the Ministry of National Defense with regard to military service.

Article 15. 1. The competence of the chambers to try other cases conveyed to the Supreme Court via specific regulations that are not specified in article 11, paragraph 2, and article 13, paragraph 2, is determined by the first president by directive.

2. Jurisdictional disputes among the chambers are arbitrated by a panel of presidents of the interested chambers under the chairmanship of the first president.

Article 16. Chamber presidents and division chairmen can organize working councils of judges to discuss current activities and emerging problems.

## Chapter 2. The Jurisdiction Office

Article 17. 1. The Jurisdiction Office conducts research and analysis work, develops drafts of special revisions, legal questions and the proposals of the first president concerning the adoption of guidelines in the area of interpretations of the law and court practices, provides information periodically on Supreme Court activities, prepares the index of jurisdiction and publications concerning this jurisdiction and develops, as needed and in agreement with the interested chambers, opinions of drafts of conveyed laws and other normative acts. The Jurisdiction Office also examines complaints and proposals conveyed to the Supreme Court.

2. The Jurisdiction Office informs the first president and presidents of the proper chambers about observed divergences in the jurisdiction of the Supreme Court and all the courts and other organs whose jurisdictions are controlled by the Supreme Court.

3. The Jurisdiction Office, based on materials in its possession concerning the jurisdiction of the Supreme Court and other courts, prepares comments and remarks on the functioning of the law and presents proposals to the first president on their applications.

Article 18. 1. The Jurisdiction Office gathers and prepares selected decisions and resolutions for announcement in official publications and also assembles copies of all Supreme Court decisions.

2. The Jurisdiction Office maintains the book of legal principles representing the collection of General Assembly resolutions, and the book of legal principles representing the collection of resolutions of the individual chambers. The resolutions of joint chambers are included in the book of legal principles of both chambers.

3. The Jurisdiction Office assembles the official decisions of the Supreme Court that contain the determinations of the more important legal questions.
4. The Jurisdiction Office provides information concerning Supreme Court activities to the mass media via the press spokesman.
5. The first president determines the Supreme Court spokesman's activities.

Article 19. The first president can instruct properly qualified individuals to perform specific tasks in the Jurisdiction Office.

### Chapter 3. The Presidential Office

Article 20. The Presidential Office is responsible for the Supreme Court's administrative affairs.

Article 21. The General Division consists of the Secretariat of the First President and of the President for General Affairs of the Supreme Court, the publication office, a repository of records and a press room. This division also performs secretariat work in cases heard at sessions of the full Supreme Court, as well as the secretariat and office work of the Tribunal of State.

Article 22. 1. The Labor Relations Division, in particular, is responsible for the individual affairs of judges and Jurisdiction Office personnel, of administrative workers and other supreme court personnel, and for social cases and secretariat activities in disciplinary cases. This division is also responsible for operating the Supreme Court library.

2. The Labor Relations Division maintains personnel records of the judges and other personnel of the Supreme Court, except for judges and other soldiers on active duty and employees of the Military Chamber.

Article 23. The Finance and Budget Division is responsible for, among other things, the Supreme Court's budget and financial affairs and for the payment of salaries and other obligations.

Article 24. The Economic Division is responsible for supplies, investments, buildings and court facilities, transportation, and managing fixed assets.

Article 25. 1. The organization and activities of the institutional archives as well as the time and means of preserving records in the archives are determined by separate regulations.

2. The book of legal principles remains permanently with the Supreme Court.

### Section III

#### Rules for the Internal Proceedings of the Supreme Court

## Chapter 1. The General Agenda for Trials and Sessions

Article 26. Records in civil cases in which a prosecutor participates and records in penal cases in which appeal rights were filed are given over to the prosecutor general. Case records should be available in the Supreme Court at least 14 days prior to the beginning of the trial or session.

Article 27. Case records should be available to the interested parties for 7 days before the trial begins.

Article 28. Judges wear official garb during trials: gown and cap, and chairmen wear a chain with the emblem of the Polish People's Republic.

Article 29. If an overflow crowd is expected to attend a trial, the division chairman issues passes.

Article 30. All those present in a courtroom, including the participating prosecutor and court clerk, rise when the judges enter or leave the courtroom, when the oath is taken and when the verdict is read. Each person present at a trial rises when he addresses the court or when the court addresses him. The chairman can permit a sick or disabled person or other person, in exceptional circumstances, to remain seated. Judges rise only when the oath is taken.

Article 31. Unless stated otherwise by the law, the prosecutor and court clerk are admitted to all closed sessions, and in cases provide by law, the parties as well as their attorneys are also admitted to closed sessions. After hearing the reports of the court reporter and the recommendation of the prosecutor and of the parties and their attorneys participating in the session, the judges retire to their deliberations in which only Supreme Court judges participate.

Article 32. Sessions of the full Supreme Court, of the joint chambers, of a full chamber, as well as the sessions of seven-judge panels, are closed as provided in article 17, paragraph 1, article 18, paragraph 1, and article 19, paragraphs 2 and 3 of the Law of 20 September 1984 on the Supreme Court (DZIENNIK USTAW No 45, item 241), henceforth called the "Supreme Court law." The regulation of article 31 is applied as appropriate.

Article 33. If in a case tried according to civil procedure regulations, a decision on presenting a legal question was declined at the trial, then the resolution of the three-, five- or seven-judge court containing the replies to the legal questions is considered after the trial is conducted.

## Chapter 2. The Procedure for Issuing Supreme Court Resolutions

Article 34. Drafts of resolutions of panels of judges, augmented with justifications or the reports of the first president or the appropriate Supreme Court president, are sent to the Prosecutor General and to the motion initiator to be justified in writing.



Article 35. Drafts of Supreme Court resolutions or reports can also be sent to scientific institutions, appropriate departments of the higher schools, specific scholars or other organs to obtain their opinions.

Article 36. The collected comments and proposals on a draft resolution can be presented at a working meeting to which those making the comments can be invited.

Article 37. Reporters present the general assumptions of the draft resolution at a judicial session and justify the reasons for not incorporating announced comments and proposals.

Article 38. In case comments are presented that require a session to be adjourned, the chairman can demand that the comments be presented in writing.

Article 39. A panel of seven Supreme Court judges considering a resolution within the jurisdiction of two chambers consists of three judges from each chamber and the president of the chamber where the case was entered as the panel chairman.

Article 40. 1. Only persons authorized by proper regulations can participate in sessions considering Supreme Court resolutions.

2. Only judges belonging to an assigned Supreme Court panel can vote. None of them can decline to vote, render a separate opinion or decline to sign a legally made resolution.

### Chapter 3. Procedure for Qualifying Decisions and Resolutions for Announcement in Official Publications

Article 41. Supreme Court resolutions and decisions are announced in official publications after they are qualified for printing.

Article 42. 1. All Supreme Court resolutions and those Supreme Court decisions that were proposed for publication by the Supreme Court judges or the Jurisdiction Office must also be qualified for publication.

2. The Jurisdiction Office, being immediately familiar with the Supreme Court decisions, prepares draft theses corresponding to the decision contents if the ruling judges in the designated case have not prepared the theses themselves.

Article 43. The initial qualification of resolutions and decisions for publication in official publications is executed by judicial panels appointed to this activity in the individual chambers by their appropriate Supreme Court president.

Article 44. The first president directs resolutions and decisions to be published in the appropriate official publication after hearing the opinions of the designated judicial panel.



Article 45. The resolutions and theses of decisions subject to qualification at meetings of appropriate judicial panels are collected and prepared for announcement by the Jurisdiction Office.

Article 46. 1. Editorial and statistical corrections can be made to Supreme Court decisions designated for announcement, and paragraphs that are unimportant to the interpretation can be eliminated. The names of the parties and the names of places are not announced, instead initials are used.

2. Important editorial and statistical changes require the approval of the reporting judge and the adjudicating panel.

Article 47. Resolutions and decisions announced in Supreme Court official publications should also include the prosecutor's and judges' recommendations.

#### Section IV

##### Specific Regulations Concerning the Military Chamber

Article 48. The regulations of sections I through III are applicable to the Military Chamber, except as changed by the regulations of this section.

Article 49. 1. Regulations concerning military institutions and soldiers on active duty apply, in areas not regulated in the Supreme Court regulations, to the Military Chamber and to the soldiers serving in this chamber.

2. Personnel, administrative, financial, and economic matters of the Military Chamber are directed by its president on the principles outlined in military regulations.

Article 50. 1. The minister of national defense, with the approval of the Supreme Court first president, assigns judges to execute tasks in the Military Chamber reserved for Supreme Court judges.

2. The Military Chamber president, with the approval of the first president, can select one of his deputies or division chairmen to take his place during his absence.

Article 51. In cases tried by the Military Chamber that are appealed, in cases concerning the passage of guidelines in the area of interpreting the law and court practices, and in cases concerning the clarification of legal regulations that the first president directed to the Military Chamber or expanded judicial panel for a hearing, the records are sent to the Chief Military Prosecutor to obtain a written opinion.

Article 52. The regulations of article 30 apply to Military Chamber sessions at which appeal cases are heard.

Article 53. Military uniforms are the official dress of Military Chamber judges. During trials, the chairman of the judicial panel wears a chain with the emblem of the Polish People's Republic.

Article 54. The president directing the Military Chamber informs the minister of national defense of the chamber's activities. In cases concerning entrusted administrative control over military courts, the president directing the Military Chamber is directly responsible to the minister of national defense.

## Section V

### Regulations on Disciplinary Proceedings in the Supreme Court

#### Chapter 1. General Regulations

Article 55. 1. Disciplinary proceedings before the High and Supreme Disciplinary Courts proceed on the basis of the regulations of the Law on the Supreme Court and of this resolution; in addition, the regulations of the Law on the Organization of the General Courts are applicable to judges of other courts.

2. In areas not regulated by the legal acts mentioned in paragraph 1, the appropriate penal proceedings regulations are used.

Article 56. 1. Disciplinary proceedings proceed without publicity.

2. Supreme Court judges and judges of that court in which the accused works can be present at the disciplinary trial. Other individuals may be present at the trial if the chairman of the adjudicating panel approves. The adjudicating panel may make the trial open in whole or in part.

Article 57. 1. Disciplinary proceedings are not initiated and those that have been initiated are discontinued if warranted in accordance with the penal proceedings code.

2. If the defendant was removed as a Supreme Court judge during the proceedings, the disciplinary proceedings proceed further, and in case the defendant transfers to another state service or to the prosecutor's office, the judgment, after it becomes legal, is sent to the defendant's appropriate head director.

Article 58. 1. The defendant has a right to a defense and the right to select defenders from among judges.

2. The defendant is assigned a public defender from among the judges in the following cases:

1) if he himself requests it;

2) in case he refuses to participate in the proceedings or is absent for a long time from the country;

- 3) if a reasonable doubt exists concerning his sanity;
- 4) if the proceedings occur after his death.

Article 59. 1. In disciplinary proceedings the only parties are the defendant and the disciplinary agent. If the defendant does not participate in the proceedings, his right as a party is vested in the defenders.

2. Copies of all resolutions and decisions pronounced during a disciplinary proceeding are handed over officially to the parties.

Article 60. The disciplinary court authorized to hear a case decides if the disciplinary agent is excluded.

Article 61. The disciplinary agent is bound to obey the injunctions of the first president of the Supreme Court concerning disciplinary proceedings and appeal rights.

Article 62. 1. Disciplinary courts issue decisions in the form of resolutions and rulings, and in the form of judgments when, as a result of a hearing, they decide the guilt and disciplinary penalties or the discontinuance of the proceedings.

2. All decisions made during a disciplinary proceeding require official justifications in writing, and the delivery of these written justifications to the parties and to the Supreme Court first president when they concern Supreme Court judges. Before any kind of decision is issued, the recommendations of the disciplinary agent must be heard and, if possible, the petition of the defendant must also be heard.

Article 63. 1. A disciplinary proceeding proceeds independently of a penal proceeding concerning the same act. However, the disciplinary proceeding can be suspended until the penal proceeding is legally terminated.

2. The parties are entitled to lodge a complaint about a decision to suspend a proceeding.

Article 64. 1. Acts of members of disciplinary courts, disciplinary agents, defenders and court clerks are official acts.

2. The State Treasury bears the costs of disciplinary proceedings.

3. If a proceeding takes place beyond the normal place of residence, the individuals named in paragraph 1 are entitled to payments that are analogous to payments for official trips. This also applies to the defendant who is found not guilty or against whom proceedings are discontinued.

Article 65. The right to inspect the records of a disciplinary proceeding during any of its stages by anyone besides the parties is determined by the first president of the Supreme Court or the person authorized by him. The

chairman of the proper disciplinary court can, in justified cases, grant permission to other individuals, authorities or officials to inspect the records.

Article 66. 1. The Supreme Court Presidential Office provides clerical help to the disciplinary courts.

2. Only a Jurisdiction Office member can record the minutes during disciplinary trials.

Article 67. Disciplinary decisions are not publicized. However, this regulation can be revoked by the first president after the decisions are legalized.

Article 68. A copy of the legally valid judgment imposing a disciplinary penalty is included in the defendant's personal records, and the judgment is noted on the official list.

Article 69. After 3 years have elapsed from the date a disciplinary judgment, decreeing one of the disciplinary penalties, was legally imposed, at the request of the convicted Supreme Court judge, the first president can direct that the copy of the sentence be removed from the sentenced judge's personnel record and that the reference to him in the official list be deleted if the judge was not sentenced in some other case.

Article 70. The first president can examine the disciplinary jurisdiction, review the actions of the High and Supreme Disciplinary Courts, note the observed transgressions and flaws and demand their removal.

## Chapter 2. Proceedings Before the Court of the First Instance

Article 71. 1. The first president can file a motion with the Supreme Disciplinary Court to institute disciplinary proceedings against a Supreme Court judge after first clarifying the circumstances of the case that are necessary to establish the nature of the offense or of the transgression of the official position provided in article 54 of the Law on the Supreme Court.

2. The first president can order the disciplinary agent to conduct the preliminary clarifications of the circumstances of the case, including listening to the defendant.

Article 72. 1. The Supreme Disciplinary Court hears the motions of the first president on instituting proceedings, and if the court acquiesces, it issues a suitable resolution. In this resolution, which is a bill of indictment for further proceedings, the charges that are to be the subject of the proceedings must be precisely defined.

2. Before making this resolution, the court can demand additional explanations of the circumstances that are needed to make this type of resolution.

3. The disciplinary agent can appeal a resolution overruling a motion to institute proceedings to the Supreme Disciplinary Court within 7 days after he is handed a copy of this resolution with its justification.

Article 73. 1. In instituting a disciplinary proceeding, the Supreme Disciplinary Court, on the motion of one of the parties or on its own, can order one of the disciplinary judges to conduct additional clarification proceedings.

2. The judge assigned to hold the additional clarification proceedings is required to investigate all the circumstances of the case, to gather available evidence and to hear witnesses and experts after swearing them in.

3. In these cases, the assigned judge can expand his investigation to charges not included in the resolution to institute disciplinary proceedings.

4. After completing the ordered proceeding, the assigned judge sends the records to the disciplinary agent to render a motion. Before the case is returned to the Supreme Disciplinary Court, the assigned judge should permit the defendant or his defender to review the records and prepare conclusions.

Article 74. The Supreme Disciplinary Court issues at its sessions:

1) decisions concerning additional clarification proceedings as needed;

2) decisions to discontinue a disciplinary proceeding;

3) a sentence judgment providing it is only a reprimand;

4) a resolution to try a case and at the same time determines the need to summon by name the indicated witnesses and experts.

Article 75. 1. In the case of a reprimand without conducting a trial, the disciplinary agent and the defendant can demand a trial within 7 days after being handed the sentence.

2. In case of such a demand, the judgment is considered null and void.

Article 76. 1. The parties can lodge a grievance about a decision to cancel a disciplinary proceeding within 7 days after the decision is handed over along with its justification.

2. The Supreme Disciplinary Court arbitrates the grievance at a session.

Article 77. 1. The chairman of the Supreme Disciplinary Court establishes the trial date and makes the date known to the disciplinary agent, the defendant and his defense; at the same time he prescribes that these individuals be sent copies of the resolution designated in article 74, point 4.

2. The unjustified failure to appear on the part of the defendant or his defenders does not delay the trial of the case.



3. As far as possible, the court hears at a session the motions of the disciplinary agent and the defendant concerning the evidence. The chairman of the designated adjudicating panel can decide before the trial to take into consideration the announced evidential resolution.

Article 78. 1. The trial begins with the reading of the motion to institute disciplinary proceedings and to bring the case to a main trial, after which the defendant is heard. Then the court orders that the evidence mentioned in the resolution on bringing the case to trial and admitted at the motion of the parties be directly introduced. Documents and minutes of the interrogations of those individuals whose interrogations at the trial is not necessary according to the court, or whose appearance at the trial would cause difficulties that cannot be resolved immediately, can also be read in whole or in part from the court records.

2. The trial ends with a speech by the disciplinary agent and the defense; the defendant has the right to be heard last.

Article 79. If new offenses come to light during the trial, the court can pass judgment on them only if the disciplinary agent and the defendant or his defenders agree. If there is no agreement, a separate proceeding is initiated that is based on the general rules of disciplinary proceedings.

Article 80. Only the adjudicating judges participate in the deliberations and voting.

Article 81. 1. The judgment is based on all the facts made known during the trial.

2. All the judges sign the judgment; then it announced by the chairman.

3. Justifying the judgment must be drawn up officially within 7 days and delivered immediately to the disciplinary agent and the defendant.

Article 82. The minutes of the trial are prepared, including the names of the court panel and individuals present during the trial. It also presents the course of the trial, giving the testimonies of the witnesses and the opinions of the experts. The chairman and the court clerk sign the minutes.

### Chapter 3. Appeal Proceedings

Article 83. 1. The defendant and the disciplinary agent can appeal a High Disciplinary Court judgment to the Supreme Disciplinary Court.

2. An appeal is filed with the High Disciplinary Court within 7 days of the date that a copy of the judgment with the justification is delivered.



Article 84. At its sessions, the Supreme Disciplinary Court issues decisions:

1) to set aside the appeal without a hearing if it was filed after the time limit or by an unauthorized person, or if the appeal was accepted by the High Disciplinary Court as a result of baseless restoration of the time limit.

2) to set an appeal trial.

Article 85. 1. The appropriate proceeding regulations that are in force for proceedings in the first instance are used in appeal proceedings.

2. In appeal proceedings, one is permitted to instruct a judge selected from the adjudicating panel to provide additional evidential material.

Article 86. After the judgment is legalized, the chairman of the Supreme Disciplinary Court sends a copy of the judgment along with its justification to the first president for execution. If the High Disciplinary Court or Supreme Disciplinary Court decision concerns a disciplinary case of a common court judge, a copy of the judgment along with its justification is sent to the Ministry of Justice for execution and to the president of the appropriate court.

#### Chapter 4. The Reinstitution of a Disciplinary Proceeding

Article 87. 1. A motion to reinstitute a disciplinary proceeding is filed with the High Disciplinary Court within 3 months at the latest from the time that the person authorized to file the motion receives the information about the circumstances mentioned in articles 59 or 60 of the Law on the Supreme Court.

2. The court considers the motion at a session after requesting and receiving the written declarations of the opposing side and initiating proceedings as needed to introduce evidence.

3. The parties can lodge a complaint regarding a decision concerning the reinstitution within 7 days after the decision was delivered. The Supreme Disciplinary court decides the complaint at a session.

4. In reinstituting a proceeding, the High Disciplinary Court can demand that the execution of a judgment be delayed.

Article 88. If the reinstitution of proceedings benefits the sentenced person, the new judgment cannot impose a penalty that is more severe.

Article 89. If a judgment is issued sentencing a defendant whose place of residence is unknown and cannot be easily determined, and thus all the documents were delivered only to the assigned public defender, the accused can within 1 month after learning about the contents of the judgment demand a new proceeding even though the conditions listed in article 60, paragraph 1 of the Law on the Supreme Court are not met. The regulations of article 60, paragraph 2 of the Law on the Supreme Court are used as appropriate.

## Section VI

### Interim and Final Regulations

Article 90. 1. The first president is authorized to issue directives regulating the internal operations of bureau activities and clerical duties of the Supreme Court as well as other matters concerning the internal operations of the court that are not regulated by these by-laws.

2. The Supreme Court uses the existing regulations regulating internal clerical duties and office activities until the directive mentioned in paragraph 1 becomes effective.

Article 91. Council of State resolution of 22 May 1962 concerning the by-laws of the Supreme Court (MONITOR POLSKI No 45, item 210; 1964, No 79, item 371; 1978, No 20, item 70; 1983, No 8, item 46) is no longer valid.

Article 92. This resolution is effective the day it is announced.

[signed] Chairman of the Council of State: H. Jablonski

11899

CSO: 2600/683

9 April 1985

## POLAND

## CONTROVERSIAL PROPOSALS ON SEJM ELECTIONS DEBATED

## List of Candidates

Warsaw RZECZYWISTOSC in Polish No 7, 17 Feb 85 p 3

[Article by Piotr Olejnik: "Whom and How?"]

[Text] If the center for the study of public opinion were to conduct a poll in Poland today on the subject of basic facts whose existence causes the greatest social dissatisfaction and makes the process of getting out of the crisis more difficult, one could bet that at the head of the list would be the continuously evident effect of the economic reform. This would be equally true from the standpoint of the quantity of goods at the market or their quality (but certainly not of prices), as well as from a feeling on the part of large masses of the population that they have little influence on decisions made somewhere "above," on the selection of some programs of action and not others in one area or another, in a word, all that pertains to the participation of society in the exercise of authority.

Both of the factors indicated above have a basic strategic significance for the future of the country. The first decides on the scale of the difficulty of daily purchases, on the possibility of obtaining specific articles, on the customer's ability to pay for them, or on what constitutes the basic factor of the level of material daily life of man and is a basis for his "economic self-esteem." The second, on the other hand, plays primarily a political role, determining the degree of identification of the citizen with what is going on around him and consequently his "political self-esteem." Taken together this comprises the set of facts that affect in an elemental way the social support given the actions of authority, a priceless matter for those who govern.

The support of which we are speaking will obviously increase when our "economic self-esteem" and "political self-esteem" are improved, when the economic reform bears the fruit of plenty and relative accessibility to goods at the market, and when society feels to a greater degree that its voice is honestly taken into consideration when any decision is made. Here we must remember that the processes indicated above are not accomplished from day to day, especially if they occur under conditions of a serious breakdown in economic development and in a society divided both with respect to world view and ideology, and to a significant degree politically.

Putting aside an otherwise extremely urgent problem of economic reform and its effects that the average Pole feels, we will concentrate on the second group of facts, which we can recognize as one of the important causes of manifestations of social dissatisfaction that continue to be observed and on the participation of citizens in exercise of authority, speaking in general terms.

Certainly much has changed for the better in this area since the 1970's: the role of representative and independent organs has changed, the most important decisions are made after extensive public consultations; a number of structures and channels have been created through which citizens' voices reach those who govern and they are analyzed by them; the extent of public control of administrative and economic authority has increased. The general trend of changes in the political life of the country which have taken place in recent years cannot be underestimated, although facts can be indicated such as, for example, the increase in the most various bureaucratic barriers, the issuing of invalid regulations, or even making decisions not entirely in keeping with previously conducted public consultations (for example, in the matter of preferential points for studies), whose direction in the consciousness of the citizens is obscured, something that the authorities should avoid as the devil avoids holy water.

Despite all the achievements listed above in the sphere of democratizing life in the country, much still remains to be done in this area, and the most immediate and most important step to be taken are the elections to the Sejm.

The elections themselves constitute a unique quintessence of participation of society in authority. Their importance increases immeasurably when they pertain to the highest law-giving body. For these reasons the significance of the Sejm elections which will take place this year cannot be overrated because of the "political self-esteem" mentioned above. We may even set up the following thesis: the elections will define the sense of society's affecting the decisions undertaken and, consequently, the degree of public support for the actions of the authorities.

Taking elections in general, we have in mind both how we will elect and who will sit in the building on Wiejska Street in Warsaw as well as whether the election regulations on the basis of which we carry out the election process will meet the democratic aspirations of the citizens, and whether the future deputies will represent these citizens and their aspirations worthily in the Sejm. We are not in a position to answer the second question directly today. An indirect answer based on two premises lies in where the candidates presented to the electorate will come from and how they will be presented to their electorates in the election campaign.

It is clear from the bases for the election regulations, published several weeks ago, that the right to nominate persons for candidacy as deputies belongs to the signers of the PRON (Patriotic Movement for National Rebirth) Declaration (PZPR, ZSL, SD, "Pax" Publishing Institute, the Christian Social

Association, and the Polish Catholic Social Union) and to trade unions, farmers' organizations, unions of socialist youth, and other large social organizations. Therefore, we do not foresee a place for those who question the existing constitutional order.

In the light of the above, it is exceptionally important that on the election list there be people representing the most various organizations and centers so that it might be, on the one hand, an expression of national agreement as to constitutional principles and, on the other hand, a reflection of the obvious divisions in the society. It is not, as some maintain, an attempt to reconcile water with fire, but a completely realistic matter and, what is more important, it is necessary. We can, after all, recognize the constitutional bases, but disagree with respect to concrete political, social or economic solutions, as is already happening in most of Polish society, of which the Sejm is supposed to be a representative reflection. Here it would be well to note that only from discussion, clashes of various positions and illumination of all aspects of a given problem can worthwhile solutions arise. Saying this, let us stress it because the election list was not decided by the key we knew from past years. One criterion for placing a candidate on the list should be involvement in defending the interests of his constituency and their opinions, obviously in conjunction with the interests of all of society.

In this connection, several technical points can be made. The candidate should be subjected to careful "testing" in the course of the election campaign; this is a matter not so much of the election regulations as such, which oblige the deputies to meet their electorates, as it is an involvement, interest in and activity of the electorate itself, who should properly exploit the meetings anticipated by the election regulations.

Here let us pass on from the question of whom we will elect to how the election will take place. In this area, the most immediate problem is that it should be a real, authentic and conscious election. Then the battle for votes might gain color, and the candidates might have to work harder for the favor of the voters. If a more likely solution that depends on maintaining multimandate districts develops, it is imperative to place on the election list twice as many candidates as the mandate assigns to the given district. This would inspire those hoping to be deputies to a more intensive campaign, and the electorate to a more attentive inspection of the candidates. In such a situation every voter would have to strike enough names from the list to leave only as many as the given district is mandated. This would force the voter to think more and would provide a certain guarantee that those elected would be only those whom the electorate recognized as worthy representatives of the community's interests. The election would then be an authentic election, not just tossing a list into the ballot box.

The bases for election regulations that were submitted for discussion contain variant solutions in at least 10 places. The importance of the questions presented in the form of variants varies: from the problem of hours the polling places will be open, which is of slight significance, through the age



at which citizens have the right to stand for office, to the number of deputies to be selected in districts and regions as well as the total number of deputies in the Sejm.

We do not have space here to discuss all the variants of the proposal, all the more so since most of them are of secondary importance in relation to the broader problems that are connected with the elections, which we attempted to discuss above. Nevertheless, attention should be given to several matters.

It is probably not desirable to accord the right to stand for office to citizens 18 years of age. As a rule, these people are not independent, are not fully responsible for their families if they have families, and are not educated to the extent that they would be equal to the exceptional responsibilities that a deputy to the Sejm of the Polish Peoples' Republic bears. This requires greater maturity, knowledge of the regulations that govern the social, political and economic life of the country and an orientation in world problems. Certainly there are many 18-year-olds who meet these requirements, but they are the exception, not the rule.

We should also forego conducting elections abroad, since the voters who are there do not have enough information on who is to be voted on, how "their" candidate fared in the election campaign and how the candidate compared with others on the list. Limiting elections to the area of the Polish Peoples' Republic would emphasize the authentic and conscious election of a deputy that it implies, a representative of the social interests, and in this way would strip the election of its plebiscite character.

In addition, we should note that an increase in the number of deputies to 500, as one of the variants presented proposes, is not at all the same as broadening the representative character of the Sejm as a body reflecting by its composition the variety of positions and views of the citizens, as has sometimes been claimed. We should rather concentrate on broadening this representativeness when we make up the list of candidates; here it would seem more advantageous to select 80 percent, not 75 percent, of the deputies in the districts since a greater number of them would then be "tested" by voters directly connected with the districts who would have better knowledge of the candidates presented.

Following these more particular points preceded by considerations of a broader character, it would be well in closing to emphasize that in a situation where the prospects of improving our "economic self-esteem" continue to be less than clear -- only by 1990 will we achieve a level of national income per person equal to that of 1978 -- "political self-esteem" is of strategic and decisive significance. This can be attained relatively quickly, taking advantage of the approaching Sejm elections, which obviously does not mean that we are suggesting some kind of conditional treatment of these elections. This year's elections and those of all subsequent years must be conducted in such a way that the citizens might feel that they are participating in something exceptionally important, that their participation is not only a formal "applause" for decisions made elsewhere earlier, that the selections they



make will bear fruit in the future in a greater influence of society on the authorities and a greater control by society of these authorities. All of this will continue to have a real significance for the degree of support which the activities of those who govern will get among those governed.

#### Age Factor Considered

Warsaw RZECZYWISTOSC in Polish No 7, 17 Feb 85 p 3

[Article by Tadeusz Pradnicki: "Toward the Elections"]

[Text] The discussion of the "Bases for Election Regulations" is underway. The first controversies are appearing. Even the "Bases" approach itself, which includes variant proposals, leads to differing evaluations.

Let us think for a moment about the propositions that pertain to the age of the candidate. The election regulations in force up to this time distinguished in general the candidates' age brackets in elections for peoples' councils and, on the other hand, elections to the Sejm. Placing the first at the same point as the age of majority (in the civil-legal sense), they required candidates for deputies to the Sejm to be 21.

The published "Bases" are an invitation to resolve the dilemma: should the age limit of candidates be dropped to 18 (which is certainly favored by consideration of consistence in the representative system and nondifferentiation between civil-legal and public-legal "maturity") or should it remain at the present level, which is age 21, the crowning argument being the increased maturity of those to whom membership in the parliament, constitutionally the "highest organ of state authority," is entrusted.

This problem remains directly connected, it seems, with a significantly more real problem: to what extent should the Sejm, aiming to base the effectiveness of its action and political authority, be a sociological photograph of its electorate, and to what extent would this end be better served by a vision of the Sejm as a forum of citizens that bear the stigmata of unique leadership in a social group, the party or institution, and are eminent in the scale of experience in public affairs? It is possible that the weakness of recruiting most of the members of parliament for many of the terms thus far was an excessive effort in practice to reflect the social-professional and demographic structure of the electorate. In effect this deprived many deputies of the possibility of having a personal leadership authority based in the electorate. They remained, with all their good will and industriousness, little known or poorly defined figures, frequently differing only in degree of political grayness. Against this background, the "central" candidates seemed to shine more brightly, although the course of events frequently cast shadows on this brightness that showed itself to be reflected light.

The experience of a series of political crises showed quite clearly that only "one's own light" should be valued and demonstrated also that to a significant degree the personal authority of its members is decisive about the value

and authority of the work of the Sejm and the Sejm itself as the "highest representative of the will of the people." If this is so, then this authority must be verified primarily among the voters themselves. Only then will they feel the authenticity of the act of designating their "district" representatives. Then also will there be a decrease in concern about the value of plenary discussions, about the vigor of deputies' speeches and about the fear of timidity with respect to voters and ministers.

To rank in the Sejm, if one is to be a co-participant of realistically undertaken voting and state decisions, demands a much broader view and a certain quantum of public experience. This, as is known, comes with age. And no matter how surely voices of young activists are raised, or even of leaders (although I would advise an examination of conscience with respect to their own "years") to say that this is discrimination, traditionalism, lack of openness, etc., I will still remain an opponent to changing the election age. And this is not just because the comic aspect of a 19-year-old deputy seeking safe conduct in marriage arouses my skepticism concerning the proposed changes. I am bold enough to say that the experience of an 18-year-old is not enough to carry out the duties of the Sejm. I also doubt that in the population of voters of different ages a trend will develop toward finding authentic "social leaders" among teen-agers.

The "Bases" (for election regulations) present those participating in the discussions with the question of determining the number of members of the parliament. This is connected, particularly in the version that envisions an increase in parliament membership, with the proposal of differentiating the mandates into those filled in the districts and those divided among the electoral regions. To the extent that the argument from demographics (increasing number of citizens, and therefore voters) leans toward accepting an increase in the number of deputies, and the conviction that there is a need to intensify deputy work which supports this, I must share the skepticism of the doubters with respect to the propriety of a parliament with a somewhat large membership.

The novelty in the "Bases" is the institution of regional lists. This institution can already count its first successes if one considers that in the group of its partisans (even before the proclamation) it had experts of the rank of S. Gebethner. "This problem is not whether the regional lists are to be posted exclusively for the purpose of announcing candidates of the central level, personalities from the front pages of newspapers," writes this author in his "Pole Manewru" (Field of Maneuvers). He adds, "The concern here is something more: that those deputies represent the more broadly perceived interests and needs of the electorate from a perspective beyond the province, a whole-country perspective, and that they would oppose a potentially explosive local particularism whose carriers might be the so-called territorial deputies elected in the districts." The result of such judgment is to increase the share of places on the regional lists to 25 percent of the make-up of the Sejm.

Here I would also like to remain a skeptical traditionalist. In other words, in the words of the author cited, "I have no bases for expressing enthusiasm" for his enthusiasm. There is, after all, a certain inconsistency in supporting single-mandate electoral districts that clearly bind the deputy to a specific district and elections in that district that simultaneously deprive the voter of the possibility of expressing his preferences as to persons seeking 1/4 of the mandates (Gebethner proposes voting en bloc here, for a list not specifically naming the candidates and not containing a greater number of candidates than the number of mandates). A horse and bridle to anyone who guesses what determines the difference between bad voting, "only for" or "only against," and the "plebiscitism" condemned by the Gebethner for some other reason.

As far as particularism is concerned... It varies. Actual and dreamed up, branch and central. Central particularism is not by any means a rare thing in Poland. How many times has the capital bureaucrat used the skeleton-key word, particularism, recognizing the specifics of the terrain and the programming, or deciding according to his own view of the matter, far removed from reality. How many times have decentralist initiatives, well-founded and liberating local enterprise, been labeled "particularism." The vision of Poland governed in details from a central seat still seduces some minds. I make so bold as to think that this is a vision that is very antiquated and very unrealistic. Neither do I believe that this view is shared by the author of "Pole Manewru," who so precociously and so laboriously bustles about with respect to the safeguards against "exuberant local particularism," while leaving completely opposite exuberances beyond this "field of criticism."

Hence I do not believe that democratization of the Polish electoral system will be by way of multiplying the mandates allotted to regions. I do not believe that roll-call voting and selection of candidates from a greater number placed on regional lists will answer any needs. Neither do I see basic contraindications against a certain number of mandates being assigned, within the framework appropriate to Polish realities, a "countrywide list" that includes the "personalities from the front pages of newspapers" mentioned by the author of "Pole Manewru." Indeed their activity actually has a countrywide dimension.

Dr Gebethner is an effective partisan of single-mandate electoral districts. Precisely because of a regard for the firmness of the author's opinion, I must indeed ask about the possibility of uniting this postulate with the coalition type of participation in exercising authority of the main political structures of PZPR, ZSL, SD, Pax Publishing Institute, the Christian Social Association, and the Polish Catholic Social Union as well as of the mass social organizations. Does the author assume at the outset a division of the districts (and by whom)? In this context, what is the role of the voters? Or does he want to admit into the competition between various candidates as much of the program and direction of PRON activities as is found in the more general formula? The enigmatic quality of the inference in this respect creates a somewhat broad field of maneuver. Maneuvers are not always successful.

2950

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POLAND

ACCOMPLISHMENTS, IMPLICATIONS OF INSPECTION TEAMS OUTLINED

Warsaw TRYBUNA LUDU in Polish 15 Jan 85 p 4

[Abridged report by PZPR Central Committee state control system group on results of consultation and experimental work relating to Worker and Peasant Inspectorate]

[Text] The 16th plenum of the PZPR Central Committee, which advocated creation of a Worker and Peasant Inspectorate (IRCh), subjected the criteria of the Inspectorate to a process of consultation. At the same time, the principle was adopted of experimental verification of the projected principles of the inspectorate. The purpose of the verification was to assemble the greatest possible number of practical observations so that the solutions introduced will be as well-suited as possible to the existing political-economic and legal-administrative conditions.

In the following report the PZPR Central Committee state control system group summarizes the results of the practical measures taken, the opinions collected, and the findings of the analyses made.

I. Scope and Methods of Social Consultations and Their Results

1. General Consultation Results

The initial consultations had to do with the extent of social support for the inspection idea itself. Prior to the 16th Central Committee Plenum, consultations were held with members and alternate members of the Central Committee, the first secretaries of the province committees, and officials of national trade union federations. The majority supported the idea of setting up inspection teams, but expressed many reservations regarding the form ultimately assumed by the system. These opinions have been taken into account in drawing up alternate proposals submitted to the Central Committee at the 16th Plenum.

In the survey conducted, 74 percent of the persons attending the 16th Plenum agreed that there is a need for establishing the Worker and Peasant Inspectorate. At the same time, the Central Committee directed that the criteria for the Worker and Peasant Inspectorate be subjected to consultation again, so that the widest possible use might be made of the opinions

obtained in different quarters before additional work on the inspectorate is undertaken.

In July 1984, the province committees of the PZPR conducted consultations in their respective areas on the criteria of the inspectorate. The form most often assumed was that of meetings of participants in the 16th Central Committee Plenum with various circles at meetings of the primary party organizations, usually at the largest worksites.

The Public Opinion Research Center twice conducted surveys of citizens' views on the subject of the inspectorate.

The results of the consultations and studies conducted cannot be summarized, because of the non-comparability of the methods employed to conduct them and the survey-like nature of most of them. They nevertheless reveal the following viewpoints of the initiative of establishing a worker and peasant inspectorate.

There are first of all the views that the inspectorate is a way of solving all social problems. They are expressed in demands that this institution be given extraordinary powers, including that of monitoring administration of the state, the judiciary, the office of the state attorney, and the trade union supervisory organs.

Next come the rational skeptical views, manifesting lack of opposition but not evincing particularly great faith in the effectiveness of social control.

Lastly, there are the views that there is no need for establishing an inspectorate, in view of the adequate network of other institutions which have been created to perform the inspection function but do not carry it out properly.

The statements made in connection with the possible risks associated with the activities of the Worker and Peasant Inspectorate for the most part reflected no concern over potentially excessive activity on the part of the future inspectorate, extravagance in performance of its control functions, or domination by the state apparatus or other institutions affecting public life. Almost all of the anticipated risks were connected with various aspects of basically the same problem, that is, lack of ineffective operation by the inspectorate.

## 2. Results of Consultations Following 16th Plenum of PZPR Central Committee

Consultations on the criteria of the plan for completion of assignments following the 16th Plenum of the Central Committee were held in August 1984. Specific questions were asked during these consultations regarding the place of the inspectorate in the social control system, the scope of its operation, its powers, and the method of appointing its members.

Incorporation of the inspectorate into the structure of the Supreme Control Chamber was favored by 45 percent of the participants in the consultations,



while 12.5 percent advocated its subordination to the people's councils. Less support was voiced for other alternative solutions.

The need for monitoring commerce and services was pointed out the most often. A large number of persons advocated monitoring of the housing economy, price setting, and all domains of life of importance to society, as well as involvement of the inspectorate in the campaign against speculation and waste. Among the assessments of the powers of the Worker and Peasant Inspectorate, the greatest support was given to the process of making recommendations and suggestions to the criminal investigation authorities and misdemeanor boards. The next lower places were also assigned to forms of inspection such as the powers invested in the Supreme Control Chamber (State Trade Inspectorate) inspectors, collection of fines, imposition of penal sanctions, and recommendation of dismissal from jobs.

In response to the question of who should appoint the inspectors of the Worker and Peasant Inspectorate, at the majority of meetings (26.9 percent of the total) it was recommended that the appointments be made by sociopolitical organizations. They were followed in order by people's councils (11.9 percent), general plant or plant section meetings of personnel (8.2 percent), PRON (6.0 percent), community meetings (4.8 percent), worker councils (4.0 percent), and the Supreme Control Chamber (3.2 percent).

Under these conditions the decision was made to carry out trial Worker and Peasant Inspectorate inspections in 13 provinces, with the various organizational and legal alternatives that may be applied taken into account.

## II. Characteristics of Operation of Trial Inspection System

The work on design of the Worker and Peasant Inspectorate included a stage of trial introduction of the inspection system. Work in this direction was begun in accordance with guidelines laid down by the Central Committee Secretariat on 21 August 1984.

### 1. Preliminary Work

As a result of a conference by the Central Committee state control system group, with part taken by leadership activists of the trial inspection organizations in selected provinces, in September 1984 the form and scope of the inspections were determined, along with the method of conducting the inspections.

The trial campaign covered 13 provinces; three alternate control methods were established:

Under the first alternative, the public inspectors operated in accordance with the provisions of the law of 20 July 1983 on the people's council and local self-government system. Article 114 of the law creates the possibility of appointing variable commissions as people's council control organs implementing post-inspection recommendations in accordance with article 122 of this law.



Under the second alternative, the public inspectors operate on the basis of the provisions of the Supreme Control Chamber law of 1980. The second paragraph of article 8 of this law specifies the obligation of participation by public inspection representatives, as required, in the monitoring activities undertaken by the Supreme Control Chamber.

The third alternative is an integrated one, under which the inspectors operate on the basis of legal provisions as in the first and second alternatives and in accordance with the principles of operation of the Main Local Inspectorate, in keeping with the Council of Ministers Decree of 6 April 1984. There are eight provinces in which the first alternative was followed (Bielsko-Biala, Chelm, Krosno, Legnica, Plock, Radom, Sieradz, Zamosc), three in which the second alternative was applied (Koszalin, Opole, Rzeszow), and two in which the second alternative served as model (Bialystok, Katowice).

Regardless of the trial inspection version, the goal of the inspections has everywhere been the same, gaining experience in the area of introduction of the concepts adopted of creating the Worker and Peasant Inspectorate, testing its basic mechanisms, and verification in practice of the views and opinions formed on this subject.

In September, experimental Worker and Peasant Inspectorate inspection teams were set up in all the provinces conducting the experiment, by decision of the Central Committee executive body. The forms and scope of their operation were determined, and the steps needed for commencement of inspection activities in the first half of October 1984 were taken.

At the central level the trial operations of the Worker and Peasant Inspectorate were directed by the State Control System group of the Central Committee.

To provide for large-scale information, publicity operations, scientific analyses, and public opinion surveys, a team of experts was assembled for analysis of public perception of the Worker and Peasant Inspectorate, co-operation was instituted with the Public Opinion Research Center, and action was taken for coordination of the activities of the print journalism community in this area.

In the provinces conducting the experiment, the Worker and Peasant Inspectorate trial inspection teams operating under the PZPR province committees drew up plans of operation, established the principles governing selection of candidate inspectors based on recommendations by the PZPR primary party organizations, United Peasant Party, and Democratic Party circles, and community meetings, and the necessary training and briefing were organized.

The members of the teams took action in the area of their authority to ensure efficient operation of the IRCh. The range of action of IRCh inspection was also defined.

## 2. Scope of Inspection and Characteristics of Inspectors

In October and November 1984 trial inspections were made in 13 provinces, 28 cities, 29 municipalities, and 54 communes. They were conducted by 1445 public inspectors, including 183 women. The core of the Worker and Peasant Inspectorate is made up of gainfully employed workers (47 percent) and peasants (28 percent).

The majority of the public inspectors are PZPR members (817 or 56 percent), while 7 percent or 147 persons belong to the United Peasant Party and 22 to the Democratic Party, while 379 inspectors are members of no organization. The inspectors were for the most part recommended by meetings of primary or branch party organizations, and less often by their executive bodies. A total of 952 persons, or 6 percent, was recommended in this manner. Echelons of the United Peasant Party, Democratic Party, and other organizations recommended 26 persons or 18 percent, while the PRON, people's council commissions, and municipal self-government bodies recommended 181 persons or 13 percent.

Confidence was displayed in gainfully employed persons with the most extensive experience in life; the 30-60 year age group accounted for 79 percent of the total number. Persons 29 years of age or younger accounted for 11 percent, and persons over 60, 10 percent. The members of people's councils at various levels were broadly involved. They represented 42 percent of the total number of inspectors. This figure was much higher in the provinces which adopted the first inspection alternative, ranging from 51 percent in Sieradz Province to 9 percent in Plock.

The trial inspections were conducted by inspection teams made up of 3 to 5 public inspectors. In the aggregate, 359 such teams were set up; 406 representatives of professional auditing organs, criminal investigation authorities, or other competent institutions participated in the work of the teams. The operations of the inspection teams were preceded by specification of the topic range and scope of inspection by the province groups.

Since the persons conducting the inspections still have little experience, an effort was made to select simple matters. The degree of social complexity of the problems investigated was taken into account in specification of the subjects for inspection. Hence in the majority of provinces inspections were made in the area of supply and operation of the public-sector commercial system in urban and rural areas, the activities of agricultural product procurement stations, the construction industry, and public utilities.

In part of the provinces, inspections also covered the operation of health service facilities, educational establishments, and distribution of construction materials and agricultural equipment. It is noteworthy that only in a few instances were private-sector commercial and service units and the operation of cultural establishments singled out for inspection.

### 3. Examples of Irregularities Discovered

Instances of the most flagrant neglect, irregularities, and deficiencies are to be found at the lowest levels of administration and in establishments providing direct services to citizens. The following examples may be given to illustrate the matters dealt with by the public inspectors.

In commerce and services: In Legnica, Plock, Rzeszow, Krosno, and Zamosc provinces, a lack of complete information on current prices was observed, and in some instances also setting of prices too high (Zamosc Province), sale of products beyond the expiration date, and poor supply with basic food items (bread, milk, butter, flour, cheese, salt). In Radom Province instances were noted in industrial sector shops of concealment of goods in great demand. In Opole, repair of television sets and washing machines was refused in WPHW service centers, even though repair capability existed, and at the Ardor establishments in Kluczbork, large amounts of damaged washing machine and refrigerator parts were discovered. At the Moda Polska [Polish Fashion] enterprise in Opole, irregularities were detected in calculation and application of prices for tailoring services and protective treatment services.

In agricultural services, a lack of timely and effective management and supervision was observed at the purchasing stations of the Namylow Potato Industry Plants in Opole Province, along with holding potatoes at the stations for excessively long periods, with resultant rotting of the potatoes in storage (20 percent), and excessive fouling of the potatoes at the stations (12 to 35 percent). In Chelm and Radom provinces, at some milk purchasing stations there was no refrigeration equipment or the refrigeration equipment was not in operation, and there were wide differences in the amounts of milk received and delivered. In Chelm and Plock provinces irregularities were discovered in evaluating the extent of fouling of the sugar beets purchased and in weighing beets. Inspection of agricultural cooperatives in Bialystok province revealed improper storage of materials, failure to protect machinery against corrosion, and irregularities in maintaining records of services performed for farmers. A lack of order, system, and economy was found at the Agricultural and Transportation Service Plant. Similar discoveries regarding uneconomical operation and disorder were made at the Wadroze Wielkie state farm in Legnica province. An instance of sub-leasing land by an agricultural cooperative was discovered at Bialygrad (Koszalin province).

In construction and public utilities, examples of lack of coordination of repair work were noted (in which, for example, painting is done first, and then assembly). Irregularities in accounting for raw and other materials and instances of accumulation of excessive amounts of scrap reinforcing steel were noted at building sites in Opole province. The construction repair shop in Koszalin discontinued work in a particular building, leaving it exposed to destruction and moisture saturation. Inspections made in 5 buildings in Rzeszow and 2 in Lancuch resulted in the discovery of 63 irregularities of various kinds in materials storage and management, the majority of which were eliminated immediately, in the presence of inspectors

of the Worker and Peasant Inspectorate. Negative phenomena of this kind, in the form of waste, lack of discipline, lack of supervision, and so forth, at building sites were also discovered by public inspectors in other provinces (Koszalin, Legnica, Katowice). Inspection of four dwellings undergoing repair in Bytom revealed, among other things, absence of the workers recorded in the operations log, including the construction foreman, and complete disorder in the organization of repair work.

In the health service and at educational establishments, unpunctuality in admission of patients and lack of order in waiting rooms were observed in area clinics in Legnica province. At Lublin Hospital, along with reservations relative to good order, criticism was evoked by use of a single elevator for transporting both patients to operations and building materials, food, and even cadavers. In the locality of Reslo in Koszalin province, physicians employed at the local health care center have not visited the schools for 2 to 3 years, even though this is one of their duties, and at Polczyn Zdroj a lack of coordination was observed in medical personnel administration, along with organizational disorder and lack of worker discipline. In Rzeszow province the inspectors questioned the propriety of qualifying children for day nurseries and kindergartens (bypassing the public qualification commissions), and deficiencies were noted in outfitting of the playgrounds and social support facilities of these establishments. A shortage of auxiliary technical personnel, chiefly charwomen, was noted as a problem in schools in Bialystok province.

#### 4. Inspection Follow-up

The trial inspections made by the Worker and Peasant Inspectorate concentrated chiefly on detecting and condemning negative phenomena in the units inspected. Irregularities of various kinds were discovered in 80 percent of the approximately 1500 inspections made. This was accompanied by corresponding activity in the form of submission of recommendations to the province and community authorities and to the appropriate union supervisory and criminal investigation organs.

Inspection follow-up is assuming a number of forms in the course of the experiment. The following are noteworthy:

notification of the primary party organizations in the units inspected of the conduct of inspections and their findings;

discussion of inspection findings by the presidia of the people's councils at the primary level or at party echelon conferences in which part is taken by public inspectors and the managements of the units inspected and by representatives of sociopolitical organizations;

forwarding of findings to union control organs, criminal investigation organs, and local administrative authorities;

re-inspection.

In a single month of trial inspection operation, IRCh public inspector teams made 194 recommendations regarding punishment of persons found to be guilty



of irregularities. Immediate action was taken on 86 of these recommendations.

Independently of the specific recommendations made regarding punishment of persons found to be guilty of irregularities, the inspection teams of the Worker and Peasant Inspectorate intervened directly to bring about general improvement in the work of the units inspected and routine elimination of a number of deficiencies.

In addition to taking prompt action, some managements of inspected units prepared schedules for elimination of irregularities found during inspection.

The inspection activities also yielded indirect results. Many units not subjected to inspection took action on their own to eliminate internal deficiencies. Some of the public inspectors also applied the experience gained to their own worksites, inducing the managements to take remedial action.

The trial inspections made thus far have shown that many elementary deficiencies resulting from lack of supervision can be eliminated immediately. They have also brought to light examples of good work which should be done a large scale. Instances of this kind, although still few in number (a total of 80 was recorded) are of great importance from the viewpoint of accomplishment of the social-educational function of inspection. By way of example it may be noted that in Krosno province eight business establishments were given a positive rating, as were two educational establishments in Bialystok, a health care center in Koszalin province and stomatology services at several other health care centers, a state truck farm in Radom province, and a district dairy cooperative in Bielsko-Biala province.

The effectiveness of the inspection activities cannot be fully evaluated as yet because of the brief duration of the trial inspection period and the negligible number of re-inspections. The re-inspections were made for the most part in the second half of November and in December of 1984.

##### 5. General Comments on Trial Inspection Operation

The attitude of the provincial administrative authorities toward the results of inspections and post-inspection recommendations is for the most part a correct one. As in the past, they display sufficient initiative in implementing findings. There is nevertheless need for greater commitment to elaboration of the most effective ways of completing the action initiated by the public inspectors.

There is wide variety in the quality of operation of different inspection teams. The deficiencies arising in the work of the teams are caused mostly by inadequate briefing and a lack of assistance on the part of experienced professional inspectors, and occasionally by a lack of sufficient belief in the possibility of eliminating wrongs and restricting irregularities and by a fear on the part of some of the inspectors of negative consequences for themselves. There have also been isolated instances of an ironic or

contemptuous attitude toward persons conducting inspections (in establishments such as hospitals, clinics, and administrative bodies). Another vital weakness is the still inadequate skill in precise formulation of follow-up recommendations.

Discipline is generally adequate among the persons functioning as public inspectors.

It follows from these comments that the main burden of the organizational work associated with instituting the IRCh trial inspections was borne by the provincial party echelons and the elements subordinate to them.

It must be stressed that, wherever the trial inspections were carried out energetically, public opinion evolved in the direction of greater interest in and approval of the IRCh activities. This also applies to circles which had previously displayed aversion to this idea.

## 6. Information and Publicity Activities

Public opinion has been familiarized to an increasing extent with the work of the inspection teams, especially in the provinces in which trial inspections were made. The print journalism community was notified of the activities undertaken in the context of the trial inspections.

Publications not relating directly to the IRCh but indicating its social and ideological premises were of great importance during the period preceding the trial inspection campaign.

The resolution of the 16th Central Committee Plenum and a resolution of the Politburo on the subject of party activities favoring increase in inspection efficiency led to intensification of propaganda efforts to familiarize citizens with the subject of state inspection and party activities in this area.

Information on the activities of the Worker and Peasant Inspectorate and on the progress of the inspection effort was broadened at the end of November 1984, in accordance with recommendations of the state control system unit of the central committee. Newspapers, radio, and television were provided with guidelines for publicizing the inspectorate, especially its concept and practical activities.

## 7. Model Findings of Trial Inspections

As has already been stated, the trial inspections were made in three proposed modes of operation.

The trial inspection findings indicate that, although no one of the alternatives creates optimum operating conditions for the Worker and Peasant Inspectorate, each of them does contain a number of positive elements to be taken into account in determination of the definitive configuration of the inspectorate.



If the Worker and Peasant Inspectorate is established as a commission of people's councils at all levels, inspection activities could be conducted on the basis of regulations currently in effect, but if special powers are conferred on the Inspectorate, it will be necessary to amend the law on people's councils. Embodiment of the Inspectorate in people's council commissions would to some extent resemble the legal make-up of the public inspection committees, whose activities have yielded no positive results.

If the Worker and Peasant Inspectorate is established to operate in close coordination with the Supreme Control Chamber, action would be taken on the findings of the trial inspections made and of the consultations and public opinion polls conducted. Another argument in favor of this form is presented by the high prestige and authority of the Supreme Control Chamber in the eyes of workers.

Adoption of this solution is also favored by the possibility of rapid commencement of IRCh activities, in view of the fact that the Inspectorate could be operated on the basis of the current law on the Supreme Control Chamber. The only thing required would be amendment (updating) of certain Council of State resolutions.

Full testing of the concept of establishing the Worker and Peasant Inspectorate as a separate public inspection system through integration of the activities of the people's councils, the Supreme Control Chamber structures, and state administrative bodies would not be possible owing to lack of the necessary legal foundation, that is, a legal instrument regulating the mutual relations among structures performing essentially different functions.

Under the experimental conditions a situation arose such that part of the inspection teams operated on the basis of the people's council alternative, part in accordance with the Supreme Control Chamber alternative, and the remainder employed the modus operandi of the Main Local Inspectorate. Examination of the post-inspection materials submitted by the provincial IRCh units of Bialystok and Katowice shows that essentially the highest efficiency and regularity of inspection were achieved by the teams applying the Supreme Control Chamber law in their activities, while the teams operating on the basis of the Council of Ministers decree of 6 April 1984 received little substantive support and professional assistance from state administrative personnel (mostly provincial inspection authority offices).

Institution of the Worker and Peasant Inspectorate in accordance with the concept corresponding to the third alternative would require creation of additional organic organizational units both within the framework of the people's councils and Supreme Control Chamber structures and at the level of central and local state administration.

A common feature of all the alternative solutions is exercise by the party of political management of the activities of the Worker and Peasant Inspectorate. In effect, this means appointment of appropriate commissions (units) by the party echelons. It is recommended that this fundamental

principle be retained. At the same time, both the consultations and the evaluations deriving from the trial inspections indicate that the people's councils must play an important part in the IRCh operating system, and that at the present time the Supreme Control Chamber is the best suited for performance of executive functions.

6115

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POLAND

# ECONOMIC REFORM IN ARTS MAKES LITTLE HEADWAY

Warsaw PRZEGLAD TYGODNIOWY in Polish No 9, 3 Mar 85 pp 1, 12

[Article by Michal Strak: "Who Fears Reform in the Arts?"]

[Text] Three years have passed since the Sejm enacted the law which initiated economic reform. The period which was called "a transition" is drawing to a close and the time has come to summarize the first results.

The arts were never an important part of the reform scene. Nor was the struggle about the shape of reform fought in this arena. For a long time there were few advocates who felt that this field (in addition to the health service, education, sports and tourism) also required new solutions. For a long time it was believed that only the pure economy deserved serious attention. That which is the so-called "budgetary area" was to remain essentially unchanged. That is why work on the concept of changes in the field of social services did not begin, for all practical purposes, until the final document of the Commission for Economic Reform was complete. This had its advantages as well as its disadvantages. Advantages because the directions of reform in the entire economy were known, disadvantages because during the course of planning not only did new solutions have to be proposed but erroneous solutions had to be corrected.

What, then, were the reformed arts to be? What was the essence of the changes proposed?

When I reply to the question put to me thusly I often refer to a simple example. Let us compare the arts with some utilitarian object, a table, let us say. In order for it to stand straight and serve the user well it must have four even, equally strong, legs. If the arts are to be correctly interjected into the realities of a reformed economy, changes in four fields are indispensable: The goals of cultural policy have to be defined differently, the institutions responsible for implementing these goals throughout the country have to be different, the source for financing the arts must be different,

and finally, the method by which all of the organizational units are financed must be changed. It is important, therefore, that four goals be achieved: cultural policy must be socialized, the position of the Ministry of Culture and Art must be strengthened, a special fund must be established, and the principles of financial management in the organizational units involved in the arts must be changed.

We envisaged that the concept of cultural policy should be the work of many institutions and organizations, with the broad participation of the creators and recipients of the arts. The decisions of the Ninth PZPR Congress determined this course of action. But at the same time the implementation of programs worked out in such groups will be possible only if the administration of the arts is given the necessary jurisdiction and authority, if it is the actual and sole implementor of cultural policy.

One of the areas in which the self-dependence and lack of self-dependence in this administration reveals itself is the method for determining the funds which the state budget allocates for the arts. For this reason it is proposed that a Culture Development Fund be established so that the arguments each year as to the size of these funds are no longer necessary, and also,

that there be no compulsion to spend that which was granted [in boldface].

These solutions were to lead to an improvement in efficiency throughout the entire country. At the same time it was believed that the functioning of individual theaters, houses of culture, museums, etc., would change when these institutions received funds for their activities. Up to now the rule has been that the size of the funds for particular institutions is determined through a competitive bidding process. Theoretically, this amount depends on the size of the activity. But we know that what is really important, from the standpoint of the institution's economic condition, is how good are the relations of its heads with those who dispose of the funds. The result is that economic activity is apart from artistic activity. It would be difficult to say what serves what.

The proposals submitted by Group 13 of the Commission for Economic Reform were aimed at having all costs relating to the existence of a cultural institution divided into two parts: those which do not depend on the size of the activity, and those which increase with the size of the activity.

The costs which do not depend on the size of the activity should be covered by the body which founded the institution, because it is that body which determines whether this is a large institution or a small one, whether it employs 10 workers or 200, and whether it possesses obsolete or modern equipment.

The costs which depend on the size of the activity should be covered by the institution itself primarily out of the sales of its services, except that if the revenues are too low the institution can take advantage of subsidies which are fixed proportionally to the size of the activity. The variable costs, those dependent on the size of the activity, would include an economic risk,

and such concepts as success or failure, would regain their long-forgotten meaning [in boldface].

The proposals presented here concentrate on organizations which concern themselves with artistic activity or the dissemination of culture. It is easy to see that they cannot operate on the basis of the three "S's" principle [self-government, self-dependence and self-financing]. In the case of book-publishing, the print media, the phonograph-record industry, etc., the situation is somewhat different. There was no doubt at all that these establishments will easily find their place in the new system. But it was also expected that this may take place at the expense of changes in the structure of their activities. There was the fear that the number of classical-music records may be reduced, or the number of book titles published, that job-printing would win out over books in the printing establishments, etc. In other words, it was expected that the short-series, low-edition production in small localities would suffer. That is why, in order to prevent this from happening, it was proposed that a sales tax be used on the one hand, and that on the other hand subsidies be granted to even out the profitability of activities in which profits differ even though the activities are equally important from the standpoint of cultural policy.

In planning these solutions it was intended that that which is connected with the planning and implementation of cultural policy nationally be put into order and that the activities of the primary organizations be made more efficient. It was envisaged that organizations which are governed by purely economic mechanisms cannot function in the arts, but at the same time a situation in which the funds obtained through patronage bear no relation to the size and level of artistic activity is not acceptable.

The question arises, how much of these intentions have we been able to fulfill? How does today's reality compare with these ideas? On what kind of legs does our cultural table stand?

The most general reply to this question would sound like this: These legs are uneven.

From the legislative standpoint, two demands were completely fulfilled: the socialization of cultural policy and the establishment of a cultural fund. The law dated 4 May 1982 created a National Arts Council, the government's consultative body. It gave it wide-ranging authority. Its more important functions include consultation on the state's cultural-policy assumptions, drafts of socioeconomic plans in those parts pertaining to the arts and the cultural needs of society, drafts of laws, plans for utilization of the Culture Development Fund, initiation of scientific studies, publication (at least once a year) of a comprehensive assessment of the state of the arts.

The Council, which was appointed by the premier for a period of 3 years, in this term numbers over 150 persons from various cultural environments and from various regions of the country.



What, really, has come out of the existence of the Council? I think that one uncompleted term is still too short a time in which to make a judgment. But we should even now give some thought to two questions: How large should it be? We recall that when the law was in its draft stage, 30 to 50 members were mentioned. What should be the proportions between the members who represent the interests or viewpoints of particular creative centers, cultural groups, or regions, and those who look at matters from the standpoint of the arts as a whole? What should determine appointments to the Council? Representation of this or some other organization, society, or province, or should the appointments be based on substantive competence? To a large degree the role of the National Arts Council as a partner of the cultural administration will depend on these proportions.

Matters relating to the financing of the arts were resolved reasonably well. The Culture Development Fund is financed from a tax on wages, the amount having been fixed by law. This guarantees a kind of minimum benefit out of the state budget for culture. The size of this benefit is not dependent on the amount of funds accumulated from other sources. This creates a strong incentive to look for such sources. In some provinces the subsidies from the Ministry of Culture and Art make up only about 75 percent of the Culture Development Fund.

The need to negotiate each year with the minister of finances on the amount of funds for culture has been eliminated [in boldface].

Much more attention is paid to how these funds are distributed for various purposes and in various regions of the country. The wisdom of the particular decisions is judged by the public.

Does this mean that everything which should be done has been done? I think not. But by this time the most obvious mistakes of the past have been corrected. To a large degree the process of deciding how the funds are to be divided has been socialized. Now we will have to surmount a much more difficult obstacle. It is more and more apparent that we do not have criteria which would permit us to make an objective assessment of the needs of particular communities, provinces, or gminas. The discretion employed in the past in making decisions has resulted in a lack of tools which might be used in determining the actual need for funds. If under the old system the lack of tools was the result of discretionary decisionmaking, this discretion now becomes the result of a lack of tools.

These deficiencies cannot be corrected in the matter of a few months. This will take time. If the work is to proceed in the proper direction, changes in the competency of the minister of culture and art are essential as well as new principles of financial management for the institutions connected with the Culture Development Fund.

The competency of the minister of culture and art is, unfortunately, determined according to need. It is true that the laws recently enacted give him many important powers, including those connected with the central management of the Culture Development Fund, joint decisions on the creation and liquidation of arts institutions, etc., but this is still only one of many ministries

responsible for various aspects of cultural life. And it continues to be a ministry without power insofar as decisions on wages and investments, and the establishment of economic-financial systems in the arts, are concerned. Therefore, it is still not possible to subordinate economic solutions to the goals of cultural policy. Conversely, the

most important aspects of cultural policy derive from economic policy [in boldface].

This is even more surprising since economically culture makes up a very small part of the entire economy. Only the minister on prices yielded his right to establish prices on services to cultural institutions to the minister of culture and art. The remaining heads of ministries do not want to follow his example.

This multiplicity of organizational units at the top level who control culture throughout the entire state is the source of many difficulties and failures in cultural policy. It greatly prolongs the decisionmaking process and reduces the substantive value of the decisions made. These decisions to only a small degree derive from a clearly defined concept of cultural policy. What predominates in them is the outcome of various bidding processes, compromises, concessions, etc.

It seems from what I have written that even if, as the latest law on the office of the minister of culture and art says, the minister is the chief organ of state administration in the field of culture, this does not mean that he is the only or the most important organ. Nor does it mean that he can make the decisions necessary to create conditions for the development of all fields of culture, to ensure universal and democratic participation of society in cultural life, to preserve cultural assets and national traditions and heritage, to popularize humanist values of national and world culture, so that culture can take its proper place in the life of the nation and in the state's socioeconomic development. In other words, neither the scope of his activity nor the legal resources provided to him conform with the goals for which this office was created. This matter is becoming even more important because other patrons and other organizations of cultural policy are beginning to play an increasingly larger role.

The principles for financing cultural institutions find themselves in the same state. The main defect in the work done thus far is that questions connected with the financing of film production, arts institutions, and state and factory institutions for the dissemination of culture have been resolved separately. The progress made in the various fields differs.

The method of financing film production has undergone the greatest change. The directive issued by the minister of culture and art on financing the activities of cinematography out of the funds of the central Culture Development Fund is something entirely new. For the first time a system has been established which provides that part of the costs must be covered out of the revenues from sales of tickets, or from sales of films to other purchasers. A film which has no appeal but cost a great deal to produce will bring a loss.

The severity of this rule is softened by the fact that a film review commission will determine how much of the costs will be covered by the Culture Development Fund. It is not a question here of pure economics, but only of improving activity in this field. It is also worth noting that good results in film dissemination have been achieved by tying allowances from the State Vocational Activization Fund to attendance. True, this led to a large increase in prices of admission tickets to the more popular films, but at the same time in the last 2 years, with small purchases of films from the West, attendance at cinemas rose greatly. Undoubtedly, therefore, cinematography is a field which is already taking advantage of the opportunities which economic reform created. It is also significant that this occurred despite the large resistance of those who are the most involved, i.e., the film producers. It turned out that

even the most radical advocates of economic reform are afraid to take a chance, but on someone else's ground [in boldface].

It is the same with journalists, known to be the most steadfast champions of market laws in culture.

A similar assessment can be made of the provisions of the law on the dissemination of culture as they relate to financing culture-dissemination centers in workplaces. The provisions state that the costs of maintaining facilities and workers' wages may be covered out of turnover funds and not, as was originally, out of the social fund. Thus the situation in those centers was improved without a perceptible reduction in the economic figures of entire workplaces.

The situation in the artistic institutions (theaters, operas, operettas, etc.) is less explicit. Final decisions have not yet been made. But it appears from the work that has been done in the past that despite numerous favorable changes the economic system will not really change very much. The size of the total subsidy will continue to depend on the results of negotiations between the director of the institution and the manager of the Culture Development Fund. The system proposed will not force these institutions to change their rules. Good relations with the patron will continue to be more important than what is happening on the stage. The spokesmen for the interests of the institutions forced the introduction of solutions which eliminated any kind of risk.

The state institutions for dissemination of culture find themselves in the most difficult situation. They have the status of budgetary establishments, which means that they are covered by the wage-fund limitations, that the salaries of their workers are not dependent on work results. For them reform continues to be a pure abstraction.

Neither were the proposed changes to the principles of the financial management of enterprises operating on the three "S's" rule put into effect. The effects of this can be seen most clearly in publishing, where, although outlays have grown steadily, the number of titles published is dropping at a rapid rate. This is the result of poor direction by all enterprises involved in the production and dissemination of books. A similar phenomenon occurs in phonograph-record production.

It would be hard to make an unequivocal assessment of the direction and force of the changes made after 1981. There is no doubt that

reform did not bypass culture. Just as in the entire economy, here, too, we see the incohesiveness and inconsistency in applying new solutions [in boldface].

Individual persons should not be blamed for this. In this kind of activity representatives of many groups take part, and these groups have different interests and different points of view. Unfortunately, those who want to make the entire system more efficient do not have the strongest position. That is why it is so hard to introduce mechanisms which would force improvements to be made in the work of theaters, film groups, houses of culture, etc., so that the material situation of the workers would be dependent on the results obtained by the entire institution. If new, detailed solutions are formed under the unceasing pressure of numerous public bodies and spokesmen for the individual creative and occupational groups, then the system now arising will contain even more contradictions and inconsistencies than its predecessors.

9295

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POLAND

## FINANCIAL NEEDS OF RETIRED WORKERS CONSIDERED

Warsaw RZECZPOSPOLITA in Polish 28 Jan 85 pp 1, 2

[Interview with Ireneusz Sekula, president of Social Security Agency, by Romana Kalecka (PAP): "Anticipating Implementation of New Pension and Retirement Raises; Social Security Agency Requires One-half Year"]

[Text] Information regarding proposed retirement and pension increases--brief by nature, because they concern plans and not decisions already made--has aroused the understandable interest of retired employees, and also a good deal of misunderstandings and questions. Our PAP correspondent has turned to the president of the Social Security Agency [ZUS], Ireneusz Sekula, with a request for a clarification of questions most frequently raised.

[Question] When would retired employees and pensioners receive this money?

[Answer] The parallel appearance of decisions regarding retirement and pension raises as well as new food prices cannot mean that the payment of increased benefits will immediately follow. Technically this is simply unfeasible. The ZUS has always requested a period of 6 months to prepare an operation of this type. All our calculations confirm that we must have one-half year from the moment the pertinent resolution becomes effective in order to calculate and pay out the increased benefits together with appropriate adjustments from the date the new rates were introduced, and also settle possible complaints.

This understanding would be easier if the increase were general and in identical amounts. However, it is suggested that retired employees drawing relatively high benefits and younger pensioners of Group III who can accept work should be excluded from the raise. This means that we must revise the entire retirement-pension portfolio, which unfortunately must be done manually. At the same time, the proposed increase is supposed to be disproportional, inversely proportional to the amount of the benefit. This is the only fair solution, but very labor-intensive for the ZUS. We determined the average time needed to calculate one benefit with the aid of a stopwatch; we took into consideration the situation in the most burdened departments and possibilities for work in the afternoon and evening and also on Saturdays and some Sundays. It appeared that this vast operation to the revalorization of 1983, comprising 5.2 million cases, of which 4.2 million are scheduled for an increase, cannot be completed--if it is to be conscientiously conducted--in less than 6 months.



[Question] This would mean that retired employees and pensioners would receive their increases after the new prices become effective. How can a substantial number of retired employees who live on very meager benefits manage under those circumstances?

[Answer] That is why it becomes very urgent to end conferences with trade unions on government proposals and select a solution which would make it possible for us, the principals, to begin the implementation of coordinated decisions. Immediately after their adoption we will describe precisely and publicize the work schedules, striving to find the possibility of solving or at least easing this dilemma.

[Question] An abundance of confusion has arisen surrounding information that this year's increase is supposed to apply to the basic amounts of pensions and annuities and not directly to the benefits themselves. Retired employees and pensioners are confused, and do not know the actual amount that they can count on.

[Answer] The basis for the amount is, speaking most broadly, the total of the emolument factors from which the amount of the pension or annuity is calculated. Next year, as is well known, their current valorization will take effect. Of course, this will depend on increasing the base rate of benefits by a similar percentage increase in the average wage for everyone in the socialized economy in the past year. It is, therefore, proposed that an increase in benefits be introduced through growth in the base rate, in order to consolidate its results and improve the financial base of the pensioners and annuitants in a significant manner, from which the valorization will be calculated.

Increased benefits without fundamental changes in their rate would bring only a single immediate result. Valorization in the meantime would embrace the present structure of benefits and would consolidate it for many years. At present this is an unprofitable structure, because low pensions and annuities govern within it. For example, benefits calculated on the basis of a rate not exceeding 9,500 zlotys are being received by 2.3 million retired employees and pensioners, and therefore approximately 45 percent of total recipients. On the other hand, the pension or annuity itself in this large group does not amount to more than 7,000 zlotys monthly, whereas pensions or annuities calculated on the basis of earnings in excess of 18,000 zlotys are drawn by barely 646,000, that is, 12.5 percent of retired employees and pensioners.

At the end of the past year, the average worker's pension and annuity surpassed 8,800 zlotys, but this does not at all mean that one-half of the retired employees and pensioners received more than this sum, and the other half, less. A statistical schedule of the retirement-pension portfolio unfortunately is not correct--almost half of the retired employees and pensioners live on benefits not exceeding 7,000 zlotys.

Hence, of course, the need to raise primarily the lowest benefits, and in this manner correct the entire structure of pensions and annuities before valorization. It is proposed that the lowest base rate be raised to 9,500 zlotys, which would mean that the lowest pension and annuity should not be less than

6,600 zlotys (at present the minimum pension and annuity, in Group I and II amounting to 5,000 zlotys and Group III amounting to 4,050 zlotys, is drawn by 826,000 individuals). Thanks to this, starting with next year, valorization can already be applied to the substantially inflated base rate, which is a favorable solution for retired employees and pensioners with meager benefits.

Obviously even this solution is not devoid of defects. It means a considerable flattening of the "portfolio" structure, i.e., an approximation and often an equalization of previously discriminatory benefits, of various earnings, conditions, work training, etc. This arouses the reservation of those retired employees who often, under very difficult circumstances, earned for themselves higher benefits which are now subject to a raise of a lesser degree and even excluded from it.

In view of the limited economic capabilities of the state, the plan recommended for a public opinion survey selects the lesser evil out of necessity.

[Question] What sort of raise would individuals be entitled to this year who benefit from coincidental rights to various benefits?

[Answer] In such cases it has been proposed that each of these benefits be handled separately. Thus, for example, with the coincidence of pension and annuity of a disabled veteran, the base rate of every benefit would be raised only if it did not exceed 18,000 zlotys. This is an expression of preference for those especially deserving citizens.

I would also like to point out that all sorts of allowances, for example, for length of service in People's Poland, for national distinction, veteran's allowances, or by virtue of work under particularly strenuous conditions, will be calculated on the new higher base rate for pensions and annuities. By the same token, these allowances are likewise increasing.

On the other hand, when final decisions are made, we shall publish detailed information which will make it possible for each retired employee or pensioner to compute the amount of the raise due him accurately.

[Question] However, would it be possible to appropriate a greater sum for raises than the 56 billion zlotys anticipated in the Central Annual Plan?

It is rumored that the ZUS closed the year 1984 with an increase in receipts over expenditures.

[Answer] Actually in 1984, just as in 1983, we closed the retirement fund with an increase in receipts over its expenditures. However, for three reasons this cannot influence an increase in payments in 1985 over the amount recorded in the plan.

First--the ZUS pays out benefits in advance and collects dues at the end of the working period; it must therefore maintain a reserve to cover at least 1 month's payout. However, approximately 50 billion is needed in connection with pensions and annuities. But this reserve must be larger, because departures for retirement and pension often accumulate, the number of allowances are variable, etc.

Second--a surplus balance in the retirement fund registered at year-end represents a deposit in the state budget in an interest-bearing bank account. The budget is, after all, a guarantee for the retirement fund, and to be sure during the course of the past 2 years has benefited from the deposit, but in 1982, when outlays greatly exceeded revenues, it replenished the retirement fund with an adequate subsidy. Consequently, it is necessary to conduct a settlement of accounts on a scale involving the entire state budget, which closed the year 1984 with a considerable deficit. A withdrawal of the deposit could consequently mean a deepening of that deficit.

Third--the public's total earnings planned for 1985 must be equivalent to the supply of goods. Retirement and pension payments stretched beyond these supplies can be accomplished only with inflated money, and therefore with considerably reduced real value.

Consequently, I regretfully must appeal to actual reality. The economic condition of the state can allow the allocation of 56 billion zlotys for increased benefits. At stake is the desire to spend this sum--which in spite of everything is large--sensibly and fairly, in order to apply it properly and have it bear fruit in the future. The public opinion poll proposed will satisfy this criteria to the best possible degree.

[Question] Let us yet turn to the technological preparations. We all recall that the elimination itself of failures and the correction of errors committed during Phase I of the retirement and pension revalorization in 1983 took the ZUS considerably more than 6 months. What guarantees can you offer that there will not be a recurrence?

[Answer] We treat the raise operation as a test of the efficiency of modernized endeavors, which are prevalent in the ZUS. This will be an opportunity to supply an answer to the question whether anything has changed in the ZUS, and I believe that yet in spite of many barriers and difficulties the reply will be positive. We have begun essential preparations toward this goal. We have planned this year's work in the departments in such a manner that they will be relieved of anything not in the nature of current tasks of special urgency. The departments most burdened with tasks received additional help. We are introducing a new incentive program that greatly encourages productive work. As another precautionary measure, opinions from the outside will be gathered by us regarding the course of action--from organizations representing retired employees and pensioners, provincial party committees, the mass media. In the ZUS general mobilization is dominant, with the desire to prove that it again ranks as an efficient and reliable institution. The public will judge the results, especially those directly interested--the retired employees.

9951

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YUGOSLAVIA

WESTERN JOURNALIST NOTES INCREASED DISUNITY OF LCY

[Editorial Report] Viktor Meier in the 21 March 1985 FRANKFURTER ALLGEMEINE (Frankfurt/Main, page 5) reports on the 16th plenum of the LCY Central Committee under the heading, "Is the Yugoslav Party on the Verge of Splitting Up?" He notes a report in BORBA that in the general party discussions now concluded innumerable complaints were addressed to the federal leadership but few to the republic and opstina leaders. "this can mean two things, according to observers: Either the people were afraid of blaming republic functionaries who are closer to them, or it is a sign of growing solidarity between the population and the political authorities on the republic and local levels. One can imagine that both reasons apply under local conditions. In any case this phenomenon is a sign that the political decisionmaking processes, and thus political power, is being shifted more and more from the federal to the republic level.

"Many observers say that the republics and provinces are losing power to the opstina level, but this appears not to be entirely the case. In at least two republics, Croatia and Montenegro, there is a ...strengthening of centralization on the republic level at present. Such tendencies appeared at the beginning of the 1970's; now they are again arising. A weakening of federal power stands over against a growing centralism of the republics which are further increasing their power.

"These power shifts also are the reason why, despite the bad economic situation in Yugoslavia there have been no open protests such as has been the case in Poland. It is often, in fact, difficult to find the right address to which to for and criticism and protests. The enterprises manage themselves and can select their directors themselves, within limits. The opstina and republic authorities try to shove responsibility on to the federal functionaries who must often take unpopular measures since they, after all, bear a certain responsibility toward foreign creditors and the IMF. Republic politicians can then easily make themselves into defenders of local interests against 'Belgrade centralism.'

"Premier Milka Planinc said at the plenum with a certain bitterness and logic, that the federal government can be only as good as it is permitted to be, or to the extent that it gets support."

In noting that the concept of democratic centralism cannot be applied because republic and provincial leaders do not abide by federal decisions, Meier questions the extent to which the party and its organs can still be looked upon as the bearer of the national will.

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